Forest Development Planning Special Project

A Review of the Forest Development Planning Process in British Columbia

Report

Forest Practices Board

FPB/SR/04
December 2000

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Executive Summary

The Forest Development Planning Special Project is a broad-based review of the current status of forest development planning throughout BC. The purpose of the project is to provide a public report about the state of forest development planning and the resulting forest development plans (FDPs) in the province.

Eighteen forest development plans were randomly selected for review: one FDP from each of three forest districts within each of the six forest regions in the province. Included in the three FDPs from each region is one Small Business Forest Enterprise Program (SBFEP) plan. The plans were all approved or in effect during 1999. Data were collected through review of the FDP content and review and comment input contained in the FDPs, as well as from interviews. The project did not include field inspection or verification.

The project methods included:

- comparison of each of the 18 FDPs to an FDP content checklist to assess the degree of Code compliance;
- interviews with 361 individuals including the FDP preparers, legislated FDP approvers, review agencies, First Nations, licensed users, interested parties and the public; and
- review of findings from other Board work (compliance audits, investigations, and reviews) related to forest development planning.

Conclusions

Is the current legal and policy framework for FDPs appropriate?

While the current legal and policy framework is generally appropriate, the lack of implementation of higher level plan objectives in some parts of the province is hindering the effectiveness of the forest development planning process. Some FDPs do not provide adequate guidance for managing and conserving forest resources.

The use of "known" information, as set out in the *Operational Planning Regulation*, is resulting in resource information being excluded from some FDPs, even when it is more than four months old, because of the way section 18 is being interpreted by some forest districts. Limiting the inclusion of resource information only to that information which is legally made known is neither sound forest management, nor is it consistent with the professional responsibilities of foresters.

Code streamlining undertaken by government in 1997 has been effective and has resulted in efficiencies, according to government staff and licensees interviewed. However, the streamlining has removed a regulated requirement for access management planning. Several forest district staff interviewed have concerns about the lack of a process to address access issues.

Is FDP content adequate with respect to protecting and maintaining forest values as set out by the preamble to the Code?

Content of the 18 FDPs examined in the project was consistent with the Code requirements. Most government staff responsible for reviewing and approving FDPs found the content of the 18 FDPs to be reasonable. However, there were concerns raised that FDPs do not contain sufficient information on

how they will protect some forest resources during forestry operations. These included concerns about protection of wildlife habitat and biodiversity, as well as other forest resources such as tourism resources and botanical forest products.

Before approving a licensee's FDP, a forest service district manager (and sometimes the designated environment official) must be "satisfied that the plan will adequately manage and conserve the forest resources of the area to which it applies."* While statutory decision-makers and licensees were satisfied that all 18 FDPs examined in this review adequately manage and conserve forest resources, the majority of other interviewees did not feel the FDPs adequately achieved this objective. Satisfaction was higher where there was a higher level plan or an approved LRMP in place.

The issue of ensuring FDPs adequately manage and conserve forest resources is a complex one. This report, along with other Board work, has highlighted the importance of the question. The Minister of Forests and the Minister of Environment, Lands and Parks have also recognized the importance of this issue. They have asked the Board to examine the question of whether or not section 41 of the Code is achieving the objectives of the Code, as set out in the Preamble. The Board has agreed to look into this issue and will be providing a separate report on the matter.

The project has also reinforced concerns about the role of the Ministery of Environment, Lands and Parks (MELP) in providing direction on FDP content. MELP has an important role to play and yet, in some districts, MELP involvement in FDPs is very limited, or non-existent. The Board is very concerned about the lack of MELP input into FDPs and major amendments in these districts. The Board also shares MELP staff concerns that current government interpretations of "risk management" places MELP staff in a position where they feel they must prove there is a serious risk to forest resources before any protection will be provided for those resources in FDPs.

The project found that a good working relationship between agency staff leads to higher satisfaction with the FDP process and higher satisfaction on the part of MELP that FDPs adequately manage and conserve forest resources.

Do the public and referral agencies have adequate opportunity to comment on FDPs (and amendments to FDPs), and are their comments adequately considered?

While the public is usually provided with an adequate opportunity to review and comment on FDPs and amendments, the method of notification and the presentation of plan material may not always be appropriate for the intended audience. However, there were also examples where plan preparers were innovative and used effective consultation methods and materials. Those effective consultation approaches and methods are identified in the detailed report.

Many of the people with a significant interest in FDPs, such as First Nations, licensed users and some interested parties, said they would like to be involved earlier in the process, while FDPs are being developed, before the formal review and comment period commences.

Some First Nations are unable to participate effectively in the process. First Nations often lack technical knowledge and resources to provide informed comment on FDPs.

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* Section 41(1)(b) of the *Act*.

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Many of the First Nations, licensed users, interested parties, and the public were concerned that FDP preparers do not listen to their comments. They feel that their comments either "go into a black hole," or are dismissed and treated as unimportant. People's satisfaction that they are listened to seems to depend primarily on their relationship with the FDP preparer and the responsiveness of the FDP preparer to public input.

Do FDPs reflect approved strategic land use plans, and other higher level plans?

FDPs are generally consistent with the objectives set out in higher level plans, where these plans exist. Licensees also tend to ensure their plans are consistent with objectives from other strategic- and local-level plans, where there is no higher level plan in place.

Most people interviewed were of the opinion that having a good higher level plan in place improves the FDP process. People also commented that local-level plans, such as total resource plans, would be even better. There was a strong desire for government to implement landscape unit planning as soon as possible.

Where landscape-level or strategic-level plans with measurable and spatial objectives exist, regardless of whether they have been legally declared or not, they simplify the FDP process, increase confidence that the FDPs adequately manage and conserve, and enable better planning.

Is the planning process meeting the intended purpose and is it working effectively and efficiently in the view of those involved in the process, including the public?

While current FDPs are achieving their purpose of setting out development of cutblocks and roads over a five-year period, the question of whether they are protecting other forest resources drew a mixed response. There are concerns that FDPs may not be adequately managing and conserving wildlife and biodiversity in particular.

Interviewees commented that the 1997 Code streamlining has resulted in efficiencies. There were still some inefficiencies identified through the project, but efficiency was not a significant concern. A more significant concern was the lack of effectiveness in obtaining public comment on proposed FDPs.

The process works best and there is a higher level of satisfaction where:

- there is an effective strategic land use plan in place;
- there is consultation throughout the FDP process;
- plan preparers listen to comments and adjust plans based on comments;
- people feel their comments are respected;
- people feel they can influence change;
- plan text is well written and clear; and
- there is a good working relationship among preparers, reviewers, the local community and plan approvers.

The single most important factor in making the FDP process work is people. The commitment and attitude of the plan preparer and district manager has a direct effect on the level of satisfaction with the planning process.

Recommendations

This Forest Development Planning Special Project has gathered a great deal of information. It found many examples of methods and approaches that enhance the effectiveness and efficiency of the FDP process. The project a so found significant problems and issues that are limiting the effectiveness and efficiency of the process.

It is very tempting to produce a large number of specific recommendations about how to carry out the FDP process. However, the Board recognizes that flexibility is necessary given the diversity of communities, forest resources, and licensees across the province. What works well in one area may not be appropriate in another. The Board has decided to focus on a few high-level recommendations to government to address some of the fundamental issues identified in this project. The Board encourages those involved in the FDP process—plan preparers, district managers, agency reviewers, First Nations, licensed users and the public—to read through the detailed report and identify the examples of effective approaches to planning and consultation that might work well for their community and circumstances.

These recommendations address the planning framework, including involvement of the public, as well as government's organizational framework. The recommendations are intended to improve the effectiveness and efficiency of the FDP process across the province.

The Board believes that effective forest development planning requires three levels of plans:

1. Strategic land use plans that set out broad objectives for land use.
2. Landscape-level plans that translate these broad objectives into clear and measurable targets and strategies to manage and conserve forest resources.
3. Forest development plans that set out forest development activities in a specific area, consistent with these targets and strategies.

The public must have an opportunity to access and provide input to all three levels of plans, from strategic through to operational, depending on their specific interests and how they are affected by forest operations.

The Board has identified efficiencies and benefits that could be gained by moving to landscape-level plans prepared for a longer time period, possibly five to ten years, and simpler FDPs prepared to address forest operations on a suitable timeframe:

- Decisions about how to manage and conserve forest resources would be made at the landscape unit level, and FDPs would take direction from those plans, rather than making those decisions in the approval of the FDP.
- Statutory decision-makers would have more certainty when determining if FDPs adequately manage and conserve forest resources, and the public would have more confidence, because they would have specific targets and objectives to measure the FDPs against.
- Resource management and conservation would be addressed at a more relevant geographic level and in a less fragmented way.
- It may be possible to move some of the content of FDPs to the landscape unit plan, thereby reducing the costs and time required to prepare, review and approve FDPs, and eliminating unnecessary duplication.
- Landscape unit plans would be revised less often—perhaps every five years.
- It may be feasible to combine strategic-level plans and landscape unit plans into a single plan, where there is consistency in the physical and social geography of an area.

- The public would be able to provide input at the planning scale appropriate to their issues, rather than trying to address all issues in the FDP.

The Board suggests such an approach would significantly improve effectiveness and there may be significant savings over the long term.

Recommendation 1

The Board recommends that:

a) Government complete landscape unit plans as soon as possible. Landscape unit plans should be broadened in scope to provide clear and measurable objectives for the full range of forest resources and provide meaningful guidance to operational plans. Landscape unit plans must involve the broad public during their development. This will allow the public to have input into objectives for resource management and conservation at the landscape level.

b) Once landscape unit plans are in place, as recommended in 1 a), government should review the Code requirements for FDPs and make appropriate changes to achieve streamlining, such as reducing FDP content to eliminate duplication with landscape unit plans. Code requirements should also be reviewed and amended to enable greater flexibility and adaptability to respond to changing circumstances.

The project identified only five out of 18 forest districts where MOF and MELP had a very good working relationship. The project also found that the best FDPs and the highest satisfaction levels among all participants were in those locations where plan preparers and government agencies demonstrate co-operative, respectful relationships, a high level of commitment to the FDP process, and where the public is treated with respect and provided with adequate feedback. The Board recognizes that much of this is due to the attitudes and commitment of individuals, and not the structure of the FDP process. It is not possible to legislate good relationships, but it is possible to develop a working environment that encourages better relationships.

Recommendation 2

The Board recommends that government take steps to foster and encourage an organizational environment that recognizes and reinforces the benefits of co-operation and respect. Government should develop measures to monitor and assess the achievement of a positive working environment.

The Board requests that the deputy ministers of Forests and Environment, Lands and Parks, advise the Board by March 31, 2001 of the actions planned and taken to implement these recommendations, and to address the significant issues identified in this report.

Acknowledgements

The Board would like to acknowledge the work of the following people who contributed to the data collection and the report preparation for this special project: Jeff Boeckler, Norman Clark, Darlene Dahl, Kevin Edquist, Stuart Macpherson, Rebecca Otto, Cindy Pearce, John Pennington, Brian Robinson and Caroline von Schilling.

The Board also extends its thanks to the hundreds of people who volunteered their time to participate in the interviews undertaken for this project.

And finally, the Board wishes to thank the members of the peer review committee who contributed their comments and advice on the draft findings and the recommendations.

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List of Acronyms Used in This Report

AAC – allowable annual cut

CCLUP – Cariboo-Chilcotin land use plan

CP – cutting permit

DFO – Department of Fisheries and Oceans

DM – district manager

FDP – forest development plan

FEN – forest ecosystem network

FRBC – Forest Renewal BC

FTP – file transfer protocol

HLP – higher level plan

IRMP – integrated resource management plan

LRMP – land and resource management plan

LRUP – local resource use plan

LUP – landscape unit plan

MELP – Ministry of Environment, Lands and Parks

MOF – Ministry of Forests

MOTH – Ministry of Transportation and Highways

MOU – memorandum of understanding

MSBTC – Ministry of Small Business, Tourism and Culture

OGC – Oil and Gas Commission

OGMA – old-growth management area

RLUP – regional land use plan

SBFEP – Small Business Forest Enterprise Program

SDM – statutory decision maker

SP – silviculture prescription

PART 1:
Report from the Board

Introduction

This report from the Forest Practices Board outlines the most significant findings from the Board's "Forest Development Planning Special Project" and proposes recommendations for improvement. A more detailed findings report follows in Part 2, which provides the complete results of the special project.

The information and recommendations in this special project report are based on:

- review of the current legal framework for forest development planning in British Columbia;
- review of 18 randomly selected forest development plans (FDPs) from across British Columbia;
- interviews with approximately 361 people involved in the forest development planning process; and
- review of the results of past Board work involving the forest development planning process.

The objectives of this special project are:

- to review the current legal and policy framework for FDPs and determine its appropriateness;
- to review FDP content with respect to protecting and maintaining forest values as set out by the preamble to the *Forest Practices Code of British Columbia Act* and related regulations (the Code);
- to determine if the public and referral agencies have adequate opportunity to comment on FDPs (and amendments to FDPs), and whether their comments are adequately considered;
- to determine if FDPs reflect approved strategic land use plans and other higher level plans;
- to determine if the planning process is meeting the intended purpose and if those involved in the process (including the public) feel it is working effectively and efficiently; and
- to provide recommendations for improvement to the planning process and plan content.

The project has found that FDPs address the content requirements of the Code but, in the absence of higher level plans for forest resources, they may not always ensure protection of important forest resources.[1] The presence of a strategic plan for land and resource management, whether legally declared under the Code or not, assists the planning process and results in better FDPs and higher satisfaction among those involved with the planning process.

"Higher level plan" refers to objectives for certain forest resources that have been legally declared under the Code. An FDP must not conflict with a legally declared higher level plan.

Many of the people interviewed were not very satisfied with the forest development planning process and did not believe that their concerns were always addressed appropriately. The most important factor that affects satisfaction with the planning process is the quality of relationships among the public, plan preparers, reviewers and approvers. While the current planning process is meeting some of its intended purposes, it is not meeting others.

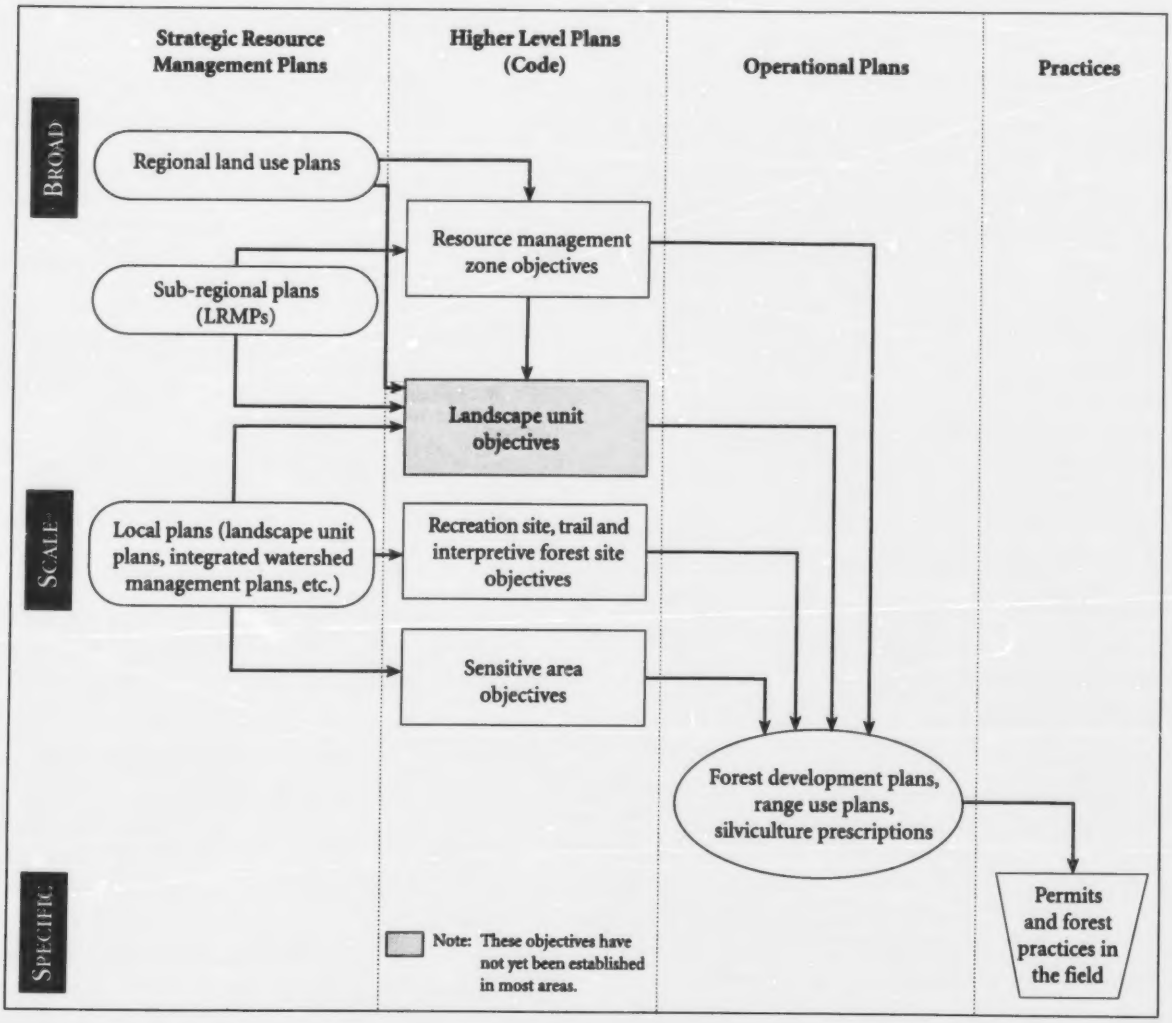
The detailed results of this special project are described in Part 2 of this report. Based on all of this information, the Board has reached the conclusions and makes the recommendations set out here.

[1] Forest resources means resources and values associated with forests and range including, but not limited to fish, water, wildlife, biological diversity, recreation and botanical forest products.

Role of the Forest Development Plan

Forest development plans are intended to identify proposed roads and cutblocks that will be developed over a five-year period, while specifying measures to protect other forest resources in the area of the plan during operations. Specific details about individual roads and cutblocks are addressed in subsequent site-level plans, such as road permits and silviculture prescriptions. Forest development plans sit within a broader planning framework (see Figure 1). Objectives for land and resource use are set at a broader level, and the FDP then specifies how operations will be consistent with those objectives during forest development.

Figure 1. Current planning framework.


Strategic Resource Management Plans
Higher Level Plans (Code)
Operational Plans
Practices
BROAD
SCALE
SPECIFIC
Regional land use plans
Sub-regional plans (LRMPs)
Local plans (landscape unit plans, integrated watershed management plans, etc.)
Resource management zone objectives
Landscape unit objectives
Recreation site, trail and interpretive forest site objectives
Sensitive area objectives
Forest development plans, range use plans, silviculture prescriptions
Permits and forest practices in the field
Note: These objectives have not yet been established in most areas.

However, in many parts of the province, objectives for land and resource use either have not been completed or have not been declared "higher level plans" under the Code. Until government declares the objectives to be higher level plans, there is no legal requirement for FDPs to be consistent with the objectives. In addition, some existing higher level plans are not sufficiently specific to provide adequate guidance to FDPs.

At the present time, FDPs are serving multiple functions:

- They propose forest development activities across a landscape.
- They provide technical information for government agency staff who review and approve the plans.
- In areas where higher level plans have not been implemented, FDPs sometimes determine the objectives for a broader range of forest resources.
- They serve as documents that enable the public and other stakeholders to review and comment on proposed activities.
- They serve as the basis for government approval of proposed activities, subject to licensees obtaining silviculture prescription approvals and road and cutting permits before beginning forest development activities.

This review has identified two significant issues regarding the role of FDPs:

1. Need for Strategic Landscape-level Plans

Where land and resource management plans (LRMP) or local plans with measurable and spatial objectives exist, regardless of whether they have been legally declared or not, they simplify the FDP process. The objectives and measures for protecting forest resources are clear and the FDP can demonstrate that it will be consistent with them. A quality strategic landscape-level plan increases confidence that FDPs are adequately managing and conserving forest resources.

Strategic landscape-level plans with measurable and spatial objectives enable better planning, result in a better FDP, and contribute to better working relationships and a higher level of satisfaction among agencies and the public.

Many of the licensees interviewed considered objectives from any applicable strategic plans in their FDPs, whether legally required or not. Licensees, government staff and the public all view strategic plans as a benefit to forest management. Where strategic plans do not exist, licensees and statutory decision-makers bear the burden of determining objectives and strategies for land and resources, instead of government leading a strategic planning process that involves all interested parties and the public.

2. Review and Comment

Within the land and resource planning hierarchy, the FDP is the most common venue for public comment. FDP reviews occur annually in most forest districts. Other processes such as LRMPs or TSA reviews provide opportunity for public input, but they occur much less frequently. Therefore, the public tries to address a variety of resource management issues—including government policy, landscape-level resource management and land use issues, as well as cutblock-specific issues—in the FDP process. For example, people may raise concerns about:

- the level of harvest, which is determined through the timber supply review process, leading to an allowable annual cut determined by the chief forester;

- the lack of protection for important forest resources such as grizzly bears, which would be addressed through a land and resource management plan (LRMP) or landscape unit plan; or
- inadequate protection of small fish streams, which would be addressed through revisions to the Code.

These types of concerns are difficult for licensees to address in FDPs. Many people do not understand what is or is not appropriate to comment on in an FDP review and they become frustrated when their issues are not addressed. The types of issues plan preparers do try to address in FDPs are usually specific issues that relate to proposed roads and cutblocks.

Adequately Manage and Conserve

Before approving a licensee's FDP, a forest service district manager (and sometimes the designated environment official) must be "satisfied that the plan will adequately manage and conserve the forest resources of the area to which it applies."[2] While the Code does not require the same approval test for a Small Business Forest Enterprise Program FDP, the Board believes the same principle should apply, and some statutory decision-makers do explicitly apply the test.

Ministry of Forests (MOF) district managers, who approved the 18 FDPs examined in this project, were satisfied that the FDPs adequately manage and conserve the forest resources of the areas to which they apply. Licensees also shared this opinion. However, the majority of Ministry of Environment, Lands and Parks (MELP) staff, Department of Fisheries and Oceans (DFO) staff, First Nations, licensed users, interested parties and the public did not feel FDPs adequately achieve this objective. Satisfaction that FDPs adequately manage and conserve forest resources was higher where there was a higher level plan or an approved LRMP in place.

There were a variety of reasons for concerns that FDPs do not adequately manage and conserve forest resources. In one location, MELP staff expressed the opinion that the Code itself does not adequately manage and conserve forest resources. Several other MELP staff raised concerns that FDPs are not required to include sufficiently detailed information to permit them to judge whether or not resources will be adequately managed and conserved. DFO staff who were interviewed think the Code is inadequate to protect fish habitat. Other MELP staff said current government interpretations and policies related to the Code prevent adequate management and conservation of resources. Some First Nations, licensed users, interested parties and members of the public believe the provincial harvest levels are too high to adequately manage and conserve forest resources.

Some MELP staff expressed concerns that measures described in the FDPs to protect forest resources were too vague, and that the plans did not have adequate information to properly assess the risk posed to forest resources. Most of the interested parties, licensed users and the public were concerned that FDPs do not provide adequate protection for non-timber forest resources such as wildlife, fish, tourism, mushrooms and spiritual and other values.

The 18 FDPs examined included a range of objectives, strategies and measures to protect forest resources. Most were clear and measurable, while some were vague and not measurable. This project found that a well-written plan with clear and measurable objectives facilitates an easier and more efficient agency review.

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[2] Section 41(1)(b) of the *Act*.

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Objectives for managing and conserving some forest resources are more appropriately determined at a broader level than in a FDP, and must take into account factors in addition to forest harvesting and roads. For example, grizzly bear, biodiversity and old-growth values need to be managed at a much broader scale, not through individual cutblocks and roads. This is particularly the case where a number of licensees operate in the same area under volume-based licences. It is very difficult for a licensee to propose a plan with appropriate strategies and objectives without co-ordinating activities with other licensees operating in the same area. Determining strategies and objectives at the landscape level would address that issue.

In highly dynamic environments (e.g., areas subject to beetle infestations and natural disturbances such as ice storms) it is difficult for FDPs to meet the intent of providing an orderly plan for development of roads and harvesting while ensuring protection of other important forest resources.

The issue of ensuring FDPs adequately manage and conserve forest resources is a complex one. This report, along with other Board work, has highlighted the importance of the question. The Minister of Forests and the Minister of Environment, Lands and Parks have also recognized the importance of this issue. They have asked the Board to examine the question of whether or not section 41 of the Code is achieving the objectives of the Code, as set out in the Preamble. The Board has agreed to look into this issue and will be providing a separate report on the matter.

People and Relationships

This special project has determined that the single most important factor in making the FDP process work is people.

The project identified examples where the quality[3] of an FDP was not very high but people were generally satisfied because their input was respected and responded to and they received adequate explanation when the plan preparer could not accommodate their concerns. The commitment and attitude of the plan preparer and district manager has a direct effect on the level of satisfaction with the planning process.

The project found some examples where plan preparers and approvers did not show the same regard for public input, and dissatisfaction levels were very high, regardless of the quality of the FDP itself.

The project found that the LRMP process helps build positive, respectful relationships among the key participants in an area. Having gone through the LRMP process eases the FDP process because people are more aware of each other's interests, needs and objectives. The development of consensus at the LRMP table often carries through to the FDP process.

Examples of good working relationships:

In some locations, round table meetings are held between agencies, licensees and sometime First Nations and licensed users. These meetings are proactive forums where issues are identified and resolved before a plan is submitted for review and approval.

In other locations, plan preparers conduct field trip visits with interested people, including members of the public, to review and discuss proposed plans on site.

[3] The project team reviewed the written quality and content of the plans, but did not carry out field assessments.

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Ministry of Environment, Lands and Parks

The Ministry of Environment, Lands and Parks is an essential player in the FDP process. It has a mandate to "manage and conserve" the environment, but has no decision-making authority over FDPs except in limited circumstances where joint approval is required. Ministry of Forests district managers normally decide whether FDPs adequately manage and conserve resources and they approve FDPs.

Joint approval of FDPs, that is, approval by both the MOF district manager and the designated environment official, is required in the following circumstances:

- If a forest development plan or amendment covers an area in a community watershed, or an area that meets *prescribed requirements*, the portion of the forest development plan or amendment that covers the area requires the approval of both the district manager and a designated environment official.[4]

Prescribed requirements[5] refers to the following:

- an area of a type specified in a higher level plan as requiring joint approval
- a district manager and a designated environment official may jointly approve all or part of an FDP or amendment if the district manager and the designated environment official agree that the joint approval is appropriate in the circumstances.

Plan preparers provide MELP and other referral agencies with an adequate opportunity to review and comment on FDPs. However, agencies are not always satisfied that their concerns are appropriately addressed. In some cases, they are not informed of the final outcome of the process.

The project team noted that staff of MOF and MELP had a very good working relationship in five of the 18 locations. A good working relationship between agency staff leads to higher satisfaction with the FDP process and higher satisfaction on the part of MELP that FDPs adequately manage and conserve forest resources.

The project also found poor relationships and a lack of respect between MOF and MELP staff in a few locations. This was demonstrated by an inability on the part of the ministries' staff to co-operate and co-ordinate their involvement in the FDP process. A poor working relationship is detrimental to the FDP process and to the credibility of the ministries in their local community.

Ministry of Environment, Lands and Parks field staff suffers from a lack of strategic direction from Victoria. They lack direction on corporate objectives and priorities as well as regional and local priorities. Ministry of Environment, Lands and Parks headquarters was a participant in decisions about Code streamlining that were made in 1998, but some district staff still do not accept the changes that were made. Some MOF and licensee staff commented that MELP staff is still requesting information that is no longer required at the FDP stage under the Code. In turn, MELP staff in seven of the districts that were visited had concerns that FDPs do not contain sufficient information for them to properly assess the potential impacts of proposed activities prior to approval.

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[4] Section 41(6) of the *Forest Practices Code of British Columbia Act* (the *Act*).

[5] Section 2(1) and 2(2) of the *Operational Planning Regulation*.

Ministry of Environment, Lands and Parks

The Ministry of Environment, Lands and Parks is an essential player in the FDP process. It has a mandate to "manage and conserve" the environment, but has no decision-making authority over FDPs except in limited circumstances where joint approval is required. Ministry of Forests district managers normally decide whether FDPs adequately manage and conserve resources and they approve FDPs.

Joint approval of FDPs, that is, approval by both the MOF district manager and the designated environment official, is required in the following circumstances:

- **If a forest development plan or amendment covers an area in a community watershed, or an area that meets *prescribed requirements*, the portion of the forest development plan or amendment that covers the area requires the approval of both the district manager and a designated environment official.[4]**

Prescribed requirements[5] refers to the following:

- **an area of a type specified in a higher level plan as requiring joint approval**
- **a district manager and a designated environment official may jointly approve all or part of an FDP or amendment if the district manager and the designated environment official agree that the joint approval is appropriate in the circumstances.**

Plan preparers provide MELP and other referral agencies with an adequate opportunity to review and comment on FDPs. However, agencies are not always satisfied that their concerns are appropriately addressed. In some cases, they are not informed of the final outcome of the process.

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[4] Section 41(6) of the *Forest Practices Code of British Columbia Act* (the *Act*).
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In one location, MELP staff no longer review and provide comment on FDPs, and in some other locations they do not review all major amendments to FDPs, leaving district managers to make approval decisions without the benefit of MELP's comments on the proposals. In some cases, this is because of a lack of resources to do the job; in other cases, MELP staff say it is because they do not feel their advice is taken into account and the review process is not an effective use of their limited resources. The Board is very concerned about the lack of MELP input in these districts.

Some MELP staff do not believe the Code is effective in managing and conserving forest resources. This is partly because of the absence of higher level plans in many areas, and partly because of government interpretations of the Code. For example, the current interpretations of risk management places MELP staff in a position where they feel they must prove there is a serious risk to forest resources before any protection will be provided for those resources, rather than the person approving the plan having to be satisfied it adequately manages and conserves forest resources. The Board agrees this is a serious concern and has raised it in comments on government's proposed policy on risk management. Some MELP staff also raise concerns that limitations on the amount of timber that can be removed from harvest, for wildlife protection or biodiversity purposes, means those resources will not be adequately conserved in some areas.

Resource Information

Sound FDPs must be based on adequate information about the landbase. The project identified issues related to the availability, quality and use of information.

Centralization and Co-ordination

Many of the government staff and licensees interviewed identified a need to centralize and co-ordinate information and databases. In many areas of the province, information is scattered among licensees and government agencies and often is not compatible or accessible to those who require it. For example, MOF, MELP and different licensees have information about stream classifications and resource inventories for the same landbase and the information is housed in their individual offices, often in different formats that are not compatible. This situation is neither efficient nor cost-effective. The Board recognizes that many districts are working on addressing this situation and government does have some initiatives underway to improve the collection and co-ordination of resource inventory information.

Known Information

In some forest districts, plan preparers and district managers do not include information about forest resources in FDPs because it is not officially "known" information, as defined in the *Operational Planning Regulation* (OPR). The OPR says information is "known" and must be included in an FDP if it is included in a higher level plan declared under the Code or if the district manager or designated environment official makes it known, at least four months before the FDP is submitted for approval. The OPR goes on to specify what type of information may be considered known.

Examples of available information that is not being included in some FDPs are tourism values, botanical forest products such as salal and mushrooms, draft old-growth management areas and

proposed wildlife habitat areas. Some of these types of information are not on the list in section 18 of the OPR, while others are on the list, but have not been identified in a higher level plan, or have not been declared "known" by the district manager or designated environment official.

In consideration of the process required for amending FDPs, the intent of the legal definition of "known information" was to relieve licensees from having to amend their plans to incorporate new information in FDPs at the last moment. Information to be included in FDPs had to be defined at least four months in advance. However, the result is that information more than four months old is not being included in some FDPs simply because it is not officially "known."

District managers and designated environmental officials should be making resource information "known." As well, licensees and professionals responsible for preparing forest development plans should be considering all resource information they are aware of, whether it has been made "known" or not. Limiting the inclusion of resource information only to that information which is legally made known is neither sound forest management, nor is it consistent with the professional responsibilities of foresters.

First Nations Consultation Process

In most of the 18 districts sampled, MOF handles First Nations consultation and involves licensees where appropriate. In some areas, licensees consult directly with First Nations. Letters are sent to all First Nations, inviting them to participate in the review and to comment on FDPs.

First Nations involvement in the FDP process is most effective where First Nations have the staff, resources and technical ability to participate effectively. Satisfaction levels are much higher where government provides funding or expertise to review plans on behalf of First Nations, and where plan preparers genuinely respect and respond to their input. First Nations wish to be involved during the development of FDPs, not invited to comment on plans after they have been prepared. In one location, where the licensee involved the local band throughout the planning process and addressed their concerns in the FDP, satisfaction was very high.

First Nations people have some concerns and issues that cannot be addressed through the FDP process. Concerns about aboriginal title and socio-economic benefits are examples of issues that individual licensees are not able to address in an FDP. As a result, there is presently no forum, other than treaty negotiations, in which some First Nations concerns can be addressed. Consequently, the FDP process becomes the place where First Nations seek to address these issues. Therefore, the FDP process frustrates First Nations, as it is neither designed nor able to address these broader issues. At the same time, concerns about potential infringement of aboriginal rights, such as hunting, fishing or medicinal plant use, and concerns about spiritual values are appropriate and should be addressed in FDPs and not deferred to other processes.

Many of the licensees said they find consultation with First Nations to be frustrating when they do not receive the type of input to which they can easily respond, such as cutblock- and road-specific issues, or they receive no input at all. The production of numerous copies of plans and maps was also identified as inefficient and costly in those areas where little or no feedback is received.

Public Consultation Process

In order for the FDP consultation process to be effective, plan preparers must provide the public with adequate notice of the opportunity to participate and adequate access to the information. People's input must be respected and responded to appropriately. Additionally, the public must take responsibility to become informed and find out about the opportunity to get involved.

Plan Preparers

Overall, the project found that, with a few exceptions, involvement in the review and comment process for FDPs is low in most areas. Ministry of Forests staff and licensees spend much time and effort trying to consult with the public. The process can be costly and time consuming for licensees, with little return on their investment.

Ministry of Forests staff and licensees are generally satisfied that the people most affected by the FDPs have adequate opportunity to review and provide comments on the FDPs. This judgement is based on the fact that they do not receive many complaints about ongoing forestry activities. However, they also said they would like to see more people participate in the process.

Public

People do not participate in the review and comment process for many different reasons. The most common reasons identified in the interviews were:

Access to the Process

- People did not have time to participate during the review and comment period.
- The viewing locations (open houses or the forest district and licensee offices) were too far away, or open at inconvenient times.
- People do not know what to comment on.
- The newspaper advertisements are vague and people do not realize they should be involved.
- People were not aware that comments must be in writing to be considered.

Lack of Interest in the Process

- People believe logging is an important part of the local economy and accept that FDPs are appropriate.
- They do not have a specific interest in the FDPs that would require them to participate.
- Their issues have been resolved at a strategic planning level and they are confident the solutions are being implemented in the FDPs.

Other

- People feel that their comments have been ignored in the past and have given up participating.
- They feel one-on-one meetings with the plan preparer are more effective than attending open houses or writing letters.

The majority of people interviewed felt that 60 days is adequate to review and comment on an FDP, provided they are able to obtain the information at the start of the 60-day period. In a number of the locations examined, plan preparers and the local public have developed their own approaches to consultation, which exceed the minimum requirements specified in the Code (newspaper notice and plan viewing at local offices). This project found that some plan preparers take the time to develop relationships with the local public and engage in dialogue to determine how the public wishes to be consulted. They then tailor their efforts to meet the needs of the local public, resulting in much higher satisfaction with the process.

Many of the people interviewed would like earlier involvement in the FDP process. The current approach has the licensee prepare the FDP and then solicit "reaction" from the public. Many people feel their involvement comes too late to influence FDPs, and that, because of the major investment they have made in developing the plan, licensees are reluctant to make changes unless a very serious concern or legal issue arises.

Some members of the public do not understand what type of issues are appropriate to address in an FDP and what type of issues are government policy, landscape-level (appropriate to an LRMP) or cutblock-specific. Because the FDP is the primary avenue they have for input, they tend to raise all types of concerns through the FDP. They are then disappointed with the process when their concerns are not addressed.

Many of the people interviewed also said the FDP process is a black hole. They submit comments, receive a response, which often does not address their concerns, and then never hear any more about the FDP. District managers do not always inform the public and interested parties that participate and provide written comments of the final outcome of the process.

Recommendations

Introduction

This forest development planning process review has gathered a great deal of information. It has found many examples of methods and approaches that enhance the effectiveness and efficiency of the FDP process. The review has also found significant problems and issues that are limiting the effectiveness and efficiency of the process. During the interviews, there were literally hundreds of suggestions made about how to improve the process. Most of these recommendations were specific to the circumstances of each individual and each area visited during the review.

The project team members who conducted the plan reviews and interviews also had excellent suggestions for possible recommendations. A peer review committee, with members from a variety of interests and backgrounds, also reviewed the draft findings and made excellent suggestions to the Board.

It is very tempting to produce a large number of specific recommendations about how to carry out the FDP process. However, the Board recognizes that flexibility is necessary given the diversity of communities, forest resources and licensees across the province. What works well in one area may not be appropriate in another. The Board has decided to focus on a few high-level recommendations to government to address some of the fundamental issues identified in this project. These

recommendations address the planning framework, including involvement of the public, as well as government's organizational framework. The recommendations are intended to improve the effectiveness and efficiency of the FDP process across the province.

Throughout Section 5 of the findings report are specific examples of effective practices and approaches to forest development planning and consultation that were identified during the review. The Board encourages those involved in the FDP process—plan preparers, district managers, agency reviewers, First Nations, licensed users and the public—to read through that section of the report and identify those things that might work well for their community and circumstances. In Appendix 3 of the findings report, the Board has reiterated recommendations from past Board work that are relevant to forest development planning. Those recommendations also provide useful advice and direction from the Board about how to improve forest development planning. Many of those recommendations have yet to be implemented and the Board continues to encourage government to move forward with implementation of those existing recommendations.

The Board hopes that implementation of the recommendations below, as well as past Board recommendations on forest development planning, and the examples and suggestions contained in this report will foster the evolution of the forest development planning process and improved forest management in the province.

A More Effective Planning Framework

This review has found that the expectations placed upon FDPs as resource management plans exceed what they were originally intended to accomplish. This is largely because government has not completed strategic plans for resource management and conservation across the province. Adequate measures for management and conservation of forest resources end up being debated and decided in each FDP, which is not the appropriate place and is not fair to licensees and statutory decision-makers. The Board believes that effective forest development planning requires three levels of plans:

1. Strategic land use plans that set out broad objectives for land use;
2. Landscape-level plans that translate these broad objectives into clear and measurable targets and strategies to manage and conserve forest resources; and
3. Forest development plans that set out forest development activities in a specific area, consistent with these targets and strategies.

The public must have an opportunity to access and provide input to all three levels of plans, from strategic through to operational, depending on their specific interests and how they are affected by forest operations.

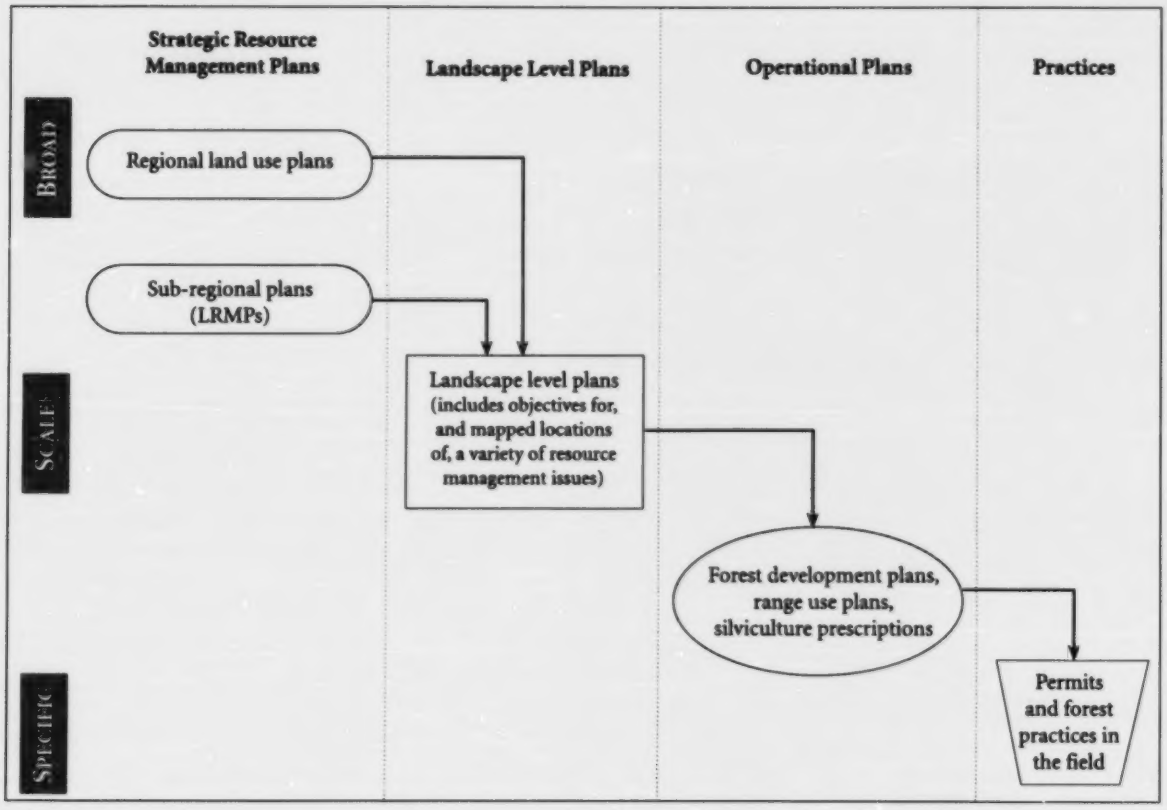
While there has been progress in completing strategic land use plans, there is still a significant gap between the objectives of these plans, and operational planning at the FDP level. Although strategic land use plans are a necessary component of planning, they are usually too broad to give specific guidance to FDPs. Strategic-level plans are an effective benchmark for the creation of landscape-level plans, within the strategic overview. There is a need for landscape-level plans, which provide more specific guidance for measuring the consistency of an FDP with the objectives of strategic land-use plans and associated higher level plans. Under the scheme of the Forest Practices Code, this level of planning is intended to occur through landscape unit plans.

The current government policy to limit the scope of landscape unit plans (to address old-growth management areas and wildlife tree patches only) will not be sufficient to accomplish the objective of

facilitating efficient and effective forest development planning that manages and conserves forest resources.

Completed landscape unit plans that addressed all forest resources would allow FDPs to focus on development of roads and cutblocks, in a manner consistent with strategic objectives for non-timber resources identified in the landscape unit plans. This approach would enhance sound forest management and increase public confidence in forest management.

Figure 2. Recommended planning framework.


Strategic Resource Management Plans
Landscape Level Plans
Operational Plans
Practices
BROAD
SCALE
SPECIFIC
Regional land use plans
Sub-regional plans (LRMPs)
Landscape level plans (includes objectives for, and mapped locations of, a variety of resource management issues)
Forest development plans, range use plans, silviculture prescriptions
Permits and forest practices in the field

The Board has identified efficiencies and benefits that could be gained by moving to landscape-level plans prepared for a longer time period, possibly five to ten years, and simpler FDPs prepared to address forest operations on a suitable timeframe:

- Decisions about how to manage and conserve forest resources would be made at the landscape unit level, and FDPs would take direction from those plans, rather than making those decisions in the approval of the FDP.
- Statutory decision-makers would have more certainty when determining if FDPs adequately manage and conserve forest resources, and the public would have more confidence, because they would have specific targets and objectives against which to measure the FDPs.
- Resource management and conservation would be addressed at a more relevant geographic level and in a less fragmented way.

- It may be possible to move some of the content of FDPs to the landscape unit plan, thereby reducing the costs and time required to prepare, review and approve FDPs, and eliminating unnecessary duplication.
- Landscape unit plans would be revised less often—perhaps every 5 years.
- It may be feasible to combine strategic-level plans and landscape unit plans into a single plan, where there is consistency in the physical and social geography of an area.
- The public would be able to provide input at the planning scale appropriate to their issues, rather than trying to address all issues in the FDP.

The Board suggests such an approach would significantly improve effectiveness and there may be significant savings over the long term.

1. **The Board recommends that:**

   a) **Government complete landscape unit plans as soon as possible. Landscape unit plans should be broadened in scope to provide clear and measurable objectives for the full range of forest resources and provide meaningful guidance to operational plans. Landscape unit plans must involve the broad public during their development. This will allow the public to have input into objectives for resource management and conservation at the landscape level.**

   b) **Once landscape unit plans are in place, as recommended in 1 a), government should review the Code requirements for FDPs and make appropriate changes to achieve streamlining, such as reducing FDP content to eliminate duplication with landscape unit plans. Code requirements should also be reviewed and amended to enable greater flexibility and adaptability to respond to changing circumstances.**

An Improved Working Environment

The review identified only five out of 18 forest districts where MOF and MELP had a very good working relationship. The review also found that the best FDPs and the highest satisfaction levels among all participants were in those locations where plan preparers and government agencies demonstrate co-operative, respectful relationships, a high level of commitment to the FDP process, and where the public is treated with respect and provided with adequate feedback. The Board recognizes that much of this is due to the attitudes and commitment of individuals, and not the structure of the FDP process. It is not possible to legislate good relationships, but it is possible to develop a working environment that encourages better relationships.

2. **The Board recommends that government take steps to foster and encourage an organizational environment that recognizes and reinforces the benefits of co-operation and respect. Government should develop measures to monitor and assess achievement of a positive working environment.**

The Board requests that the deputy ministers of Forests and Environment, Lands and Parks, advise the Board by March 31, 2001 of the actions planned and taken to implement these recommendations, and to address the significant issues identified in this report, in the interim.

The Board looks forward to discussing these recommendations in greater detail with government, forest industry, First Nations, environmental groups, forest workers and others interested in forest development planning.

PART 2:
Findings Report

1 Introduction

1.1 Background

The Forest Development Planning Special Project is a broad-based review of the current status of forest development planning throughout BC. The project is not an audit of forest development planning and its compliance with the *Forest Practices Code of British Columbia Act* and related regulations (the Code). The purpose of the project is to provide a public report about the state of forest development planning and the resulting forest development plans (FDPs) in the province. The project has been carried out using publicly available information. The authority for the project is given in section 189 of the *Act*.

When the *Forest Practices Code of British Columbia Act* was enacted in June 1995, the quality of FDPs around the province was extremely variable between licensees and between forest regions. The *Operational Planning Regulation* (OPR) attempted to provide a rigorous planning process and a standard set of content requirements for FDPs for all forest licences. In addition, the *Act* legally requires licensees to present FDPs to the public for review and comments.

Since 1995, the Forest Practices Board (the Board) received a number of complaints from the public about FDPs prepared under the Code. Many complaints stated that FDPs did not meet the content requirements of the Code or that the opportunity for review and comment was inadequate or was not fair. The Board also heard many concerns about the forest development planning process in meetings with licensees, ministries and interested public groups in a number of communities throughout the province. In addition, Board compliance audits undertaken between 1996 and 1998 also revealed shortcomings with some FDPs.

As a result of these factors, the Board decided to undertake a province-wide review of the forest development planning process in 1999. Draft terms of reference were developed, consultation with affected and interested parties took place, and the terms of reference were finalized in November 1999. The special project was carried out in 2000.

1.2 Purpose

The purpose of the special project is to:

- Review the current legal and policy framework for FDPs and determine its appropriateness.
- Review FDP content with respect to protecting and maintaining forest values as set out by the preamble to the Code.
- Determine if the public and referral agencies have adequate opportunity to comment on FDPs (and amendments to FDPs), and whether their comments are adequately considered.
- Determine if FDPs reflect approved strategic land use plans, and other higher level plans.
- Determine if the planning process is meeting the intended purpose and is working effectively and efficiently in the view of those involved in the process, including the public.
- Provide recommendations for improvement to the planning process and FDP content.

1.3 Methods and Approach

Eighteen FDPs were randomly selected for review: one FDP from each of three districts within each of the six forest regions in the province. Included in the three FDPs from each region is one Small Business Forest Enterprise Program (SBFEP) plan. Data were collected through review of the FDP content and review and comment input contained in the FDPs, as well as from interviews. The project did not include field inspection or verification.

The project methods included:

- Comparison of each of the 18 FDPs to an FDP content checklist (Appendix 1 – FDP Content Review Checklist) to assess the degree of Code compliance.
- Interviews with 361 individuals including (Appendix 2 – Participation Matrix):
  - the FDP preparers (licensee or SBFEP staff);
  - legislated FDP approvers (Ministry of Forests [MOF] district manager and sometimes Ministry of Environment Lands and Parks [MELP] designated environment officials);
  - review agencies (government agencies that review FDPs: MOF; MELP; the federal Department of Fisheries and Oceans [DFO]; Ministry of Small Business Tourism, and Culture [MSBTC]; Ministry of Transportation and Highways [MOTH]; and BC Parks)
  - First Nations;
  - licensed users (trappers, ranchers, tourism or guide outfitters, water licence holders);
  - interested parties (local government, environmental groups, outdoor recreation groups, wildlife groups, contractors and union representatives, lodge operators, miners, private property owners); and
  - public (other than above)
- Review of findings from other Board work (compliance audits, investigations and reviews) related to forest development planning (Appendix 3 – Results from Other Board Work).
- Review of the draft findings and advice on recommendations by a peer review committee, with representatives from government, the forest industry, First Nations, environmental groups, trappers and guide outfitters (Appendix 4 – Peer Review Committee Member List).

The project methods and approach are described in more detail in Appendix 5.

2 Historical Context

Forest development plans have been a requirement of forest planning since 1967 (before the Code they were called five-year development plans). They arose because of a need to address the management of a diversity of forest resources in forest planning, as explained in the following passage from the 1976 Royal Commission on Forest Resources:

> *Until recently, operational planning for logging activity was rudimentary and dealt mainly with silviculture, fire protection, and slash disposal...*
>
> *The 1960's also witnessed a growing concern about the impact of logging practices on other forest values. Environmental awareness was increasing at a time when logging activity was expanding rapidly throughout the province and clear-cutting was becoming a general practice. The Forest Service, hitherto concerned almost exclusively with only the forestry implications of timber harvesting, was forced to seek ways of reconciling industrial activity with the management of other resources—fish, wildlife, water, and so on—that depend on the forest environment. Operational planning took on a new dimension and new arrangements were necessary.* (Pearse Commission 1976)

Before the Code, five-year development plans were governed by MOF policy, examples of which included the 1972 *Coast Logging Guidelines* and the 1992 *Coast Planning Guidelines, Vancouver Forest Region.* The 1992 document described the overall planning framework and the role of five-year development plans in that framework. The concept of "integrated resource management" was emphasized in this document. For example:

> *The information assembled on all resource values will be used to determine harvest pattern. The cut block size and configuration and selection of ecologically appropriate silvicultural systems shall be determined by consideration of fire hazard, forest health, management requirements for fish and wildlife, water quality and quantity, slope stability and site degradation, wind firmness of falling boundary and recreation and landscape management requirements.*

An example of detailed direction concerning development plans before the Code, was the *Development Plan Guidelines, Vancouver Forest Region,* December 10, 1993. This document was 16 pages long. It detailed requirements for mapping and other information as well as public viewing requirements.

With the introduction of the Code, in June 1995, the requirements for FDPs became statutory requirements, rather than being governed by policy. The Code also introduced a requirement for public review and comment, which had previously been required for silviculture prescriptions but not routinely for FDPs.

There were two transition periods that provided for orderly implementation of the Code. During the first transition period, from June 15, 1995 to December 14, 1995, FDPs generally did not have to meet Code requirements. The second transition period was from December 15, 1995 to June 15, 1997. During this second period FDPs were required to meet review and comment requirements and to "substantially meet" other Code requirements.

Since its implementation, the Code has been changed many times, including many changes related to FDPs. In particular, a number of changes were introduced to streamline the Code in 1997 and 1998. Further changes have taken place since then.

3 Current Situation

3.1 Forest Development Plans Under the Code

Forest development plans serve several important functions under the Code, including:

- providing information that can be used by government agencies and the public to assess the impact of proposed development on forest resources;
- providing an opportunity for public comment;
- proposing measures to protect forest resources;
- guiding the preparation and approval of other plans and permits, such as silviculture prescriptions (SP) and road permits; and
- implementing strategic objectives for forest resources in locations where strategic objectives have been established (see 4.0 Planning Context).

The Code sets out how FDPs must be prepared, reviewed and approved.

3.2 Preparation of Forest Development Plans

Licensees are responsible for the preparation of FDPs. In the SBFEP, the MOF district manager is responsible. However, FDPs must be signed and sealed by a professional forester. The Code requires preparers of FDPs to ensure that certain "content requirements" are met. These content requirements are set out in section 10 of the *Forest Practices Code of British Columbia Act* and in the OPR.

FDPs must show, among other things:

- the size, shape and location of proposed cutblocks and roads for a period of at least five years;
- construction, maintenance and deactivation of roads and bridges;
- measures to protect forest resources;
- measures to reduce risks from insects, disease, windthrow and other forest health factors;
- whether or not a cutblock will be clearcut (rather than partially cut);
- cutblocks harvested in the past that are not yet "greened up;" and
- certain technical information such as the type of forest growing in the area (forest cover), the topography, the location of some streams, wetlands and lakes and terrain stability.

Forest development plans are valid for one or two years from the date of approval, and may be extended for an additional year. They must cover all areas "affected by" proposed activities.

Understanding the content requirements for FDPs requires an awareness of some specialized definitions in the OPR. For example, the regulation defines the word "known" as follows:

> *"known" means, when used to describe a feature, objective or thing referred to in this regulation as "known," a feature, objective or other thing that is*
>
> *(a) contained in a higher level plan, or*
>
> *(b) otherwise made available by the district manager or designated environment official at least 4 months before the operational plan is submitted for approval.*

Other examples of words used in a special sense in the regulation are "wildlife habitat areas," "forest ecosystem networks (FENs)," "old-growth management areas," "scenic areas" and "ungulate winter ranges." These terms may mean one thing in an ordinary forestry context but they have a narrower meaning in the regulation.

An example of why this is important is the requirement to include in FDPs "known… forest ecosystem networks." It is important to realize that this refers only to FENs established in a higher level plan or approved before the Code came into effect (in this case, the FEN would have to be made "known" by government).

The *Forest Development Plan Guidebook* was prepared in 1995 to provide guidance with respect to forest development planning. However, the guidebook is now largely out of date as a result of the many changes to the Code since 1995.

3.3 Review and Comment

Before an FDP can be submitted for approval, the licensee must advertise in a newspaper and give the public an opportunity to review the FDP and comment on it. Normally an FDP must be available for review for 60 days. In the case of "expedited major salvage," the period is shortened to 10 days. In the case of emergencies, FDPs may be approved without public review.

In addition, district managers may require referral of operational plans, including FDPs, to resource agencies, government agencies or individuals.

Forest development plans may show three categories of cutblock: "proposed Category A," "previously approved Category A" and "Information." *Only proposed Category A blocks are made available for review and comment.* Previously approved Category A blocks are not available for review and comment. They are essentially permanently approved, although there are specific circumstances in the *Operational Planning Regulation* where approval may be reversed. Information blocks (I blocks) are not considered part of the official FDP.

Licensees are required to consider all comments *submitted in writing* during the review and comment period and provide a copy of the comments to the district manager and, where applicable, designated environment official. As a result of the comments, the licensees must make all revisions that are considered necessary. Licensees are not required to consider oral comments, although some do.

Before an FDP is made available for review and comment an evaluation of forest health factors must be carried out. If the district manager requires it, a forest health assessment must be carried out. In community watersheds or where required by the district manager, a community watershed assessment is required.

Suggestions for the public review and comment process may be found in the *Public Consultation Guidebook.*

3.4 FDP Approval

Before they can be acted on, FDPs require approval of a forest district manager and, in some cases, a designated environment official (statutory decision-makers). Statutory decision-makers approve FDPs pursuant to sections 40–44 of the *Forest Practices Code of British Columbia Act*. Depending on whether the FDP in question relates to a SBFEP or a major licensee, different sections of the *Act* come into play.

District managers and designated environment officials can only approve licensee FDPs that:

(a) have been prepared according to the Code—that is, they meet the requirements described above; and

(b) they consider will adequately manage and conserve forest resources—this is an important requirement for FDP approval set out in section 41(1)(b) of the *Forest Practices Code of British Columbia Act.*

Once an FDP has been approved, there is no requirement for a statutory decision-maker or licensee to notify the public or government agencies.

4 Planning Context

4.1 Strategic Land Use Plans

Government, with involvement of the public and stakeholders, carries out strategic land use planning. These strategic plans set the policy direction on the full range of land use activities on a defined unit of public lands. Portions of these strategic plans may become designated as higher level plans under the Code, if they meet set criteria.

Licensees and MOF carry out forest development planning at a landscape level. Forest development plans are required to be consistent with the strategic land use plan direction and incorporate the legal higher level plan components. Strategic land use plans may address objectives for managing all forest resources—wildlife, recreation, range, heritage and culture, trapping and guiding, agriculture, minerals and so on. Forest development plans specify how and where timber management activities will be carried out, while ensuring the protection of the other forest resources consistent with the higher level plan.

Since the early 1990s, government has been carrying out strategic land use planning in much of the province. The direction in strategic land use plans can range from relatively broad and general, such as regional land use plans, to more specific and defined, such as land and resource management plans.

4.1.1 Regional Land Use Plans (RLUP)

The regional land use plan (RLUP) is a strategic land use plan that defines land and resource values, and provides goals for these values at a *regional* level. It provides a strategy to maintain and/or protect these values by establishing land-use categories, which define the type of resource management that will occur there. The RLUP, a product of the Commission on Resources and Environment (CORE), established in 1992, considers multiple land and resource values by involving both public and private stakeholders. The CORE model set the stage for land and resource management plans (LRMP), a strategic planning process occurring at a *sub-regional* level.

4.1.2 Land and Resource Management Plans (LRMP)

Similar to the RLUP, the land and resource management plan (LRMP) is a strategic land use planning process, involving the public and stakeholders, that defines land and resource objectives. It defines the objectives of land and resource use on Crown land by designating land-use categories. However, unlike the RLUP, LRMPs occur at a *sub-regional* level, typically covering one to six million hectares. Cabinet

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approves the LRMP and portions may be implemented under the Code as a higher level plan. The LRMP process has replaced the RLUP plan as the strategic land use planning process in British Columbia. Currently, 80 percent of the province is covered with approved or ongoing strategic planning processes, including both RLUPs and LRMPs.

4.1.3 Landscape Unit Planning

Unlike the RLUP and the LRMP, the landscape unit plan (LUP) is a strategic land use planning process that occurs at a *local* level—generally at a scale of 50 000 to 100 000 hectares that correlates to watersheds or valleys. Government's short-term priority for LUPs is to address targets for old-growth conservation and wildlife trees to conserve biodiversity. The LUP may also address other issues such as visual quality objectives, water quality, or recreation and tourism values. The LUP requires approval by both a MELP official and the MOF district manager. Public involvement may occur prior to the establishment of the LUP at the discretion of the district manager. However, when the LUP is deemed to significantly affect the public, its stakeholders must be given the opportunity to review and comment on its process and objectives.

4.1.4 Other Strategic Land Use Plans

When the Code came into effect, a number of local strategic planning processes, including local resource use plans (LRUP), co-ordinated access management plans, and co-ordinated resource management plans were already in place. These are small-scale strategic plans, often prepared on a watershed or valley basis.

In this report, the term "strategic land use plan" is used to refer to all of these types of strategic plans, regardless of whether they are declared "higher level plans" under the Code. The term "higher level plan" is used to refer to those elements of strategic land use plans that have been legally declared under the Code.

Implementing Strategic Plans under the Code

Under the Code, some of the objectives for forest resources in a strategic land use plan can be "declared" as a higher level plan by Order in Council. The Code defines "higher level plan" as "an objective for a resource management zone, landscape unit, sensitive area, recreation site, recreation trail or interpretive forest site." The ministers, district managers and designated environment officials or the chief forester must designate these areas, and objectives for them. The Code specifies who will be responsible for designating the higher level plan for each type of objective.

For example, a higher level plan may specify a resource management zone and objectives for managing resources within the zone. The ministers can declare the resource management zone, and its objectives, a "higher level plan" under the Code. Once objectives are officially "declared," any FDP prepared for the area must be consistent with those objectives. As defined in the OPR, consistent means "not in material conflict." Until strategic-level objectives for resource management are "declared," an FDP has no legal obligation to be consistent with the objectives. Once a strategic land use plan is declared a higher level plan under the Code, information within the plan automatically becomes "known," as defined in section 1 of the OPR, and must be identified in an FDP.

Under the OPR, a district manager and designated environment officials can make information from strategic land use plans (that are not higher level plans) "known" and can require that licensees include the information in their FDPs. District managers can also ask licensees to consider these strategic land use plans in developing an FDP, in order to satisfy the district manager that the FDP will adequately manage and conserve the forest resources of the area. For example, in a direction letter to licensees, the

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district manager can request a licensee to consider information from an LRMP, a total resource plan or a local resource use plan in the preparation of an FDP.

Figure 3. Types of land use plans.

Type of plan	Prepared by whom	Purpose
Strategic land use plans Regional land use plans Sub-regional land use plans Local resource use plans	Government through Inter-agency Management Committees, usually with public involvement	High-level direction for full range of land use activities, sets priority uses/objectives for given areas
Higher level plans Resource management zone objectives Landscape unit objectives Sensitive area objectives Recreation site, trail objective Interpretative forest site objective	Government, through the ministers of Forests and Environment, Lands and Parks, and in some cases, Cabinet	Enables objectives from a strategic land use plan to be legally binding on operational activities
Operational plans Forest development plans Silviculture prescriptions Range use plans Stand management prescriptions	Industry/Government (SBFEP)	Specifies how and where forest activities will take place, describes measures to protect forest resources during operations

Status of Strategic Plans under the Code

At the time of this project, the legally declared higher level plans across the province were:

Legally Declared Higher Level Plans:[6]

Cariboo-Chilcotin Land Use Plan
Kamloops LRMP
Kispiox LRMP

Legally Established Landscape Units:

Arrow District (biodiversity emphasis)
Kootenay District (biodiversity emphasis)
Bulkley District (landscape unit objectives)[7]

Sensitive Areas:

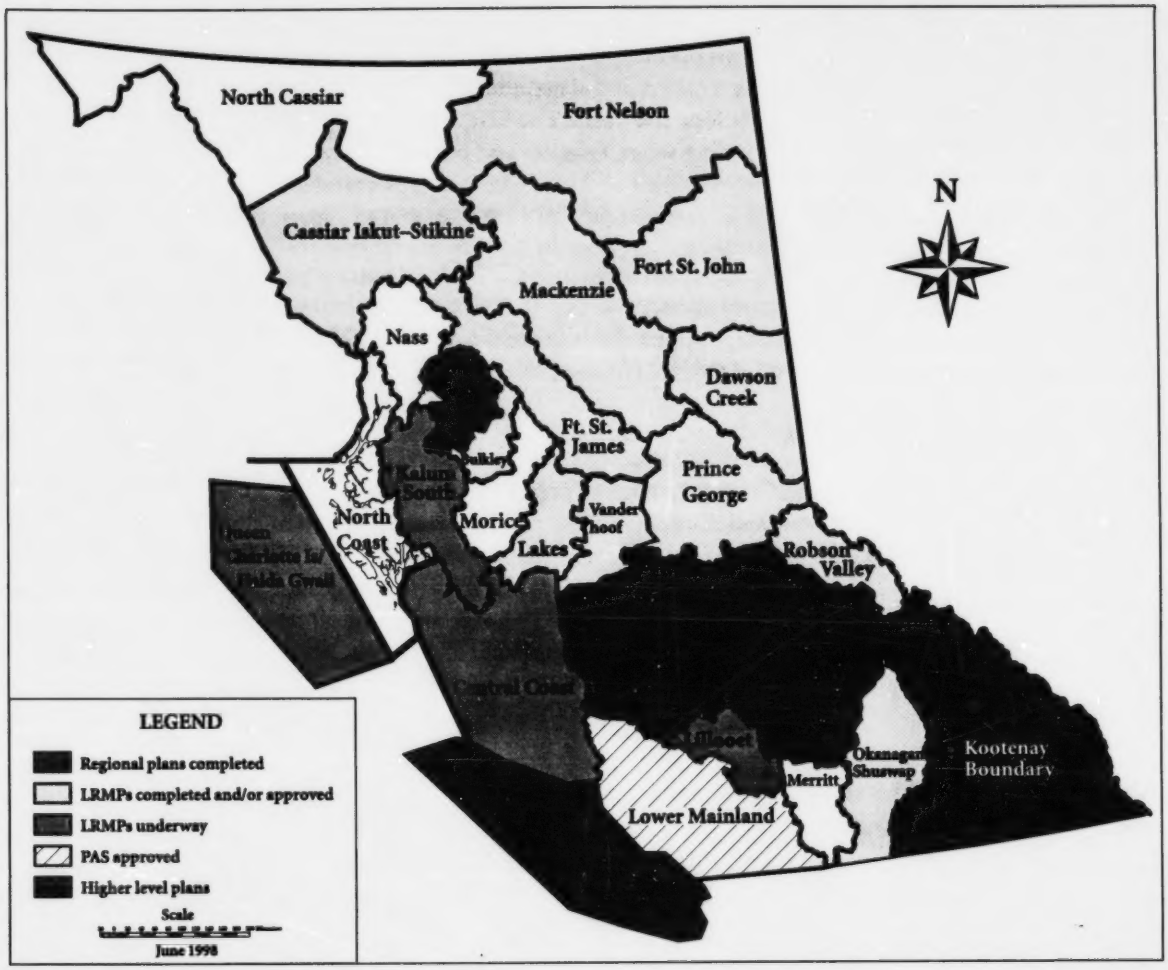
Vernon District *Rose-Swanson* area

A number of other sub-regional and local plans have also been completed. To date, these plans have not been declared higher level plans under the Code.

[6] The Vancouver Island Land Use Plan and the Kootenay-Boundary Land Use Plan were completed and in the process of being legally declared under the Code.

[7] There are many forest districts currently developing "landscape unit objectives" and many will be legally established during the next three years.

Figure 4. The status of land use plans in British Columbia (November 2000).



Source: Forest Practices Board.

4.2 Lower Level Plans and Approvals

4.2.1 Forest Development Plan

A forest development plan (FDP) is an operational plan that provides the public and government agencies with information about the location and scheduling of proposed roads and cutblocks for harvesting timber over a period of at least five years. The FDP must specify measures that will be carried out to protect forest resources (including water, fisheries and other forest resources identified in the OPR). It must also illustrate and describe how objectives and strategies established in higher level plans, where they have been declared, will be carried out. FDPs are intended to address forest management activities at the landscape level.

Forest development plans undergo an agency and public review process before they are approved by the designated statutory decision-makers—either the MOF alone, or the MOF and MELP designated decision-makers. These plans are the subject of this special report.

4.2.2 Silviculture Prescription

Following approval of an FDP, a licensee must then prepare silviculture prescriptions (SPs) for each cutblock they propose to harvest and must have those prescriptions approved by the MOF. A SP is a site-specific operational plan that describes the forest management objectives for harvesting Crown forest. Silviculture prescriptions must describe the results to be achieved and the management activities proposed to maintain the inherent productivity of the site, accommodate all resource values including biological diversity and produce a free growing stand capable of meeting stated management objectives. Silviculture prescriptions must be consistent with FDPs that encompass the area to which the prescription applies.

4.2.3 Cutting Permit

Once a SP is approved, licensees then apply for a cutting permit (CP), which is approved by the MOF and authorizes harvesting on the cutblock. Licensees must also obtain road permits before they can construct roads to access cutblocks. Once the permits are issued, a licensee may then proceed with forest development (i.e., road construction, logging operations).

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5 Evaluation of the Selected Plans and Results of Interviews

5.1 Forest Development Plan Content

5.1.1 Approach

The 18 FDPs selected for review were each evaluated against the required content under the Code at the date of FDP preparation. The content evaluations were not exhaustive, as would be the case in a Board compliance audit. There was no verification of information through field reviews. Rather, the content of the FDPs was evaluated relative to the Code requirements at the time. The project team considered, based on their professional judgement, whether the FDPs contained sufficient information for a statutory decision-maker to reach a decision on whether the FDP would adequately manage and conserve forest resources. Referral comments contained in the FDP and interview comments were also considered in the evaluation.

The FDP content was examined from several perspectives: 1) direction provided to FDP preparers; 2) presentation and format; 3) adequacy of the FDP; and 4) link to higher level plans (where applicable).

Text presented in highlighted boxes in this section are specific examples of effective practices and approaches to forest development planning.

5.1.2 Direction Provided to FDP Preparers

Direction Provided by the Ministry of Forests

Ministry of Forests district managers normally provide a direction letter to licensees that sets out their expectations for the content of forthcoming FDPs. The direction letters varied in how much and what type of direction was provided. The majority of district managers are requiring more than just the minimum requirements specified by the Code to be included in FDPs.

The following are examples of the types of information stipulated in direction letters:

- "known" information such as stream and lake classifications, cultural and archaeological information, ungulate winter range areas, scenic areas and visual quality objectives;
- information from strategic land use plans that have not been declared under the Code;
- information that is not "known," but is recommended for consideration;
- mapping guides and standards;
- district policies; and
- procedural requirements for referrals, First Nations consultation and public review.

In 14 of the districts where FDPs were sampled, licensees also receive direction through round table or expectation meetings held by the MOF during the FDP preparation phase. These meetings involve MOF, licensees, often MELP, and in some cases other interested agencies, First Nations and licensed resource users. These meetings are intended to be proactive forums where issues are identified and resolved before an FDP is submitted for formal review. In some districts one or two meetings are held, while other districts hold monthly meetings throughout the time an FDP is being prepared.

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MELP Involvement in Providing Direction

The provision of direction to licensees by MELP was variable across the districts sampled:

- directly through a MELP direction letter or a joint MELP/MOF letter;
- through the MOF direction meetings or at round table meetings; or
- no direction at all.

Licensees sometimes obtained MELP direction by reviewing referral comments from previous years FDPs to identify expectations and issues. There were two districts where MELP did not provide any direction to licensees with respect to FDP content. MELP understaffing was the reason cited for not providing more direction.

Overall, the project team found that there is generally clear direction given by the statutory decision-makers. Licensees were satisfied that the direction was clear and useful in preparing FDPs.

FDP Direction to Prepare Lower-level Plans

In reviewing the plan content and interviewing plan preparers and approvers, the project team also examined whether the FDPs provided adequate direction for the preparation of lower-level plans and approvals, including silviculture prescriptions (SPs), forest health plans, fire preparedness plans, cutting permits and road permits. In most cases, the FDPs did provide adequate direction. However, two cases were noted where the direction was not adequate. This was primarily due to vague wording in the FDP which did not clarify what was to have been reflected in lower-level operational plans.

In three of the 18 cases, while MOF and the licensee felt that the FDP provided adequate direction to lower-level plans, MELP was not satisfied. MELP staff thought that more detailed information regarding wildlife habitat and biodiversity was necessary to provide a level of comfort that the SPs would adequately manage and conserve those forest resources. Specific concerns cited were the inadequate level of detail related to wildlife, coarse woody debris and retention rates in riparian areas in the FDPs.

Overall, most FDP preparers and reviewers expressed the opinion that the FDP content, when combined with known policies and procedures and review agency comments, assists the preparation of lower-level operational plans.

Known Information

Forest development plans must incorporate "known" information and demonstrate how specified resource values will be protected. "Known" information is defined as information contained in a higher level plan or otherwise made "known" by the district manager or designated environment official, at least four months before the operational plan is submitted for approval. The type of information that can be made known is specified in section 18(1)(e) of the OPR. The four-month notice was intended to provide a level of certainty and to prevent delay in approval as a result of having to incorporate new information into a FDP at the last moment. The intent is for district managers and designated environment officials to notify licensees of information that will have to be considered in their FDPs (e.g., ungulate winter ranges, community watersheds, scenic areas).

The most common approach for making information "known" is by including it in direction letters sent to licensees to guide FDP preparation. In all but two of the districts sampled, the process for making information known was understood by FDP preparers and district managers. In those two districts,

there is uncertainty about exactly how information becomes "known" and must be considered in preparing an FDP.

The type of information most commonly made known in the 18 districts sampled is:

- scenic and recreation areas and objectives;
- community watersheds;
- riparian classes and fish streams;
- protected areas; and
- ungulate winter ranges.

Some interviewees commented that more information needs to be made officially "known" so licensees are legally required to address more resource features in FDPs. Examples include tourism features and pine mushroom harvesting areas. This concern arises when licensees refuse to include information in their FDP unless it has been legally made known under section 18 of the OPR.

The requirement to use "known" information in an FDP is different from the requirement to use "best available" information. The best available information must be used for those matters that the FDP is required to address. For example, if the FDP has to show, for example, "areas mapped on terrain stability hazard maps as having a moderate to high likelihood of landslides," the person preparing the FDP must use the best information available. However, if a forest resource has not been declared "known," there is no requirement for the best available information on that resource to be considered in the FDP. For example, an FDP preparer may have information about a draft FEN, but if that information has not been declared, "known," there is no legal requirement to consider the information in the FDP.

With few exceptions, those members of the public interviewed have no idea about "known" information. Most people assume that any information licensees are aware of will be considered when FDPs are developed. The public expectation of what must be considered in FDPs is clearly much broader than provided by the legal definition of "known" information.

Many licensees were not concerned about "known" information—it is made known to them by the district manager or designated environment official and they incorporate the information into their FDPs.

Information Quality and Co-ordination

A number of concerns were raised about the poor quality or lack of existing inventory information for features such as water intakes, forest cover and wildlife habitat and use (e.g., mineral licks). The lack of quality information means that licensees are developing FDPs using information that may not be accurate and the measures proposed to manage and conserve forest resources may consequently be ineffective.

The special project found that some interviewees had concerns about the fragmented location of inventory information. In some districts, each licensee has their own inventory of fish streams and the maps are not shared. In some districts, MOF has some information, MELP has other information, and licensees have information. Some interviewees would like to see government co-ordinate and maintain resource information in a central, accessible location. Some districts are pursuing this.

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5.1.3 Adequacy of the FDP

Format and Presentation of FDPs

Format of FDPs

The Operational Planning Standardization Team, comprised of MOF, MELP and industry representatives, has produced a provincial template for FDPs, as recommended by the 1997 operational planning review. The template was developed to standardize FDP format for text, tables and mapping standards. The template is intended to achieve efficiencies, facilitate plan review and enable the eventual consolidation of FDPs at the landscape level (FDP template, MOF, June 1998). Use of the template is not mandatory; it may be used at the discretion of districts and licensees.

Eleven of the 18 FDPs sampled were prepared in accordance with the provincial FDP template. Three FDPs did not follow the template because they were prepared before it was available. However, in these districts, the template is now being used for new FDPs or for updates to the FDPs. The Cariboo Forest Region had previously developed its own FDP template, which exceeds the requirements of the provincial template. The three FDPs examined in the Cariboo Forest Region followed the region's FDP format.

All parties who review FDPs, including First Nations, the public, licensed users and interested parties, preferred the use of the provincial template format as it aids their review, particularly when they are reviewing several FDPs. Having a consistent format for the FDPs also assists review agencies in conducting a consistent and efficient review across FDPs within each district.

The template has provided streamlining and efficiency and now that FDP preparers and reviewers are familiar with using it, they do not wish to see changes made that would require them to again adjust the manner in which FDPs are prepared and reviewed. Keeping this in mind, there were suggestions for minor improvements that could be made to the template:

- Maps should more clearly show all previously logged blocks, previously approved roads, range boundaries, terrain symbols, First Nations traditional territories, and blocks and roads from other licensees in adjacent chart areas. Map requirements should be standardized.
- Understandable definitions of silvicultural systems, as the current clearcut/partial cut definitions are creating confusion with the public, leading several forest districts to create their own locally appropriate definitions.
- Tables summarizing responses to comments from licensed users, First Nations, interested parties and the public, similar to the ones prepared for agency comments, should be required.

Presentation of FDPs

The interviews revealed that virtually none of the public looks at the text of the FDP. Almost all First Nations, licensed users, interested parties and the public only review the maps. The plan text is written for the reviewing and approving agencies. Others who do attempt to read the plan text find it extremely

difficult to understand because the FDPs are not written for the layperson. The FDPs fulfil legal requirements and address technical reviewers needs and are not prepared as documents for public review.

Generally, map quality has improved significantly. Many interviewees noted a significant improvement in map quality, compared to several years ago. Digital mapping has provided the ability to include more information on maps. However, this can also result in making them cluttered and difficult to read at a glance. The general public had a difficult time interpreting the maps, unless they had previous map reading experience or spent a significant amount of time learning to interpret the maps. Having consistent symbols on all maps helps, especially at a joint open house where all the licensees display their FDPs. Many of those interviewed expressed a desire for summary or overview type maps that would be easier to understand for the public review process (e.g., ortho-photos).

Clarity and consistency in mapping

Managing and Conserving Forest Resources

The FDP evaluations included consideration of whether or not the FDP is likely to adequately manage and conserve forest resources. This was measured primarily by asking people their opinions. The stated objectives and strategies in each FDP, regarding protection of forest resources, were also reviewed to see if they were written in a clear and measurable way. The project team members exercised professional judgement in their evaluation. They considered whether the objectives and strategies in the FDP were sufficiently clear and measurable to enable the preparation of SPs.

Ministry of Forests and licensees all said that the FDPs adequately manage and conserve resources. Yet MELP, DFO, interested parties, First Nations, and licensed users such as guide outfitters and trappers often had concerns that the FDPs do not adequately manage and conserve wildlife habitat and biodiversity. Areas of concern involve fish, fish habitat and small streams, elk, moose and grizzly bear habitat, mushroom habitat and woodpeckers. As well, some MELP staff said the Code itself does not adequately protect wildlife and biodiversity, especially without implementation of higher level plans and objectives.

Some concerns were raised about the ability of FDPs to adequately manage and conserve forest resources where pest epidemics such as mountain pine beetle infestations are strongly influencing timber harvesting. For instance, on the west side of the Cariboo and Prince George forest regions and in the Merritt Forest District, harvesting operations are being dictated by major amendments due to spreading mountain pine beetle infestation. In some cases, agency staff do not have sufficient time to thoroughly review major amendments. In these circumstances, the effort spent on preparing and reviewing a detailed original FDP may not be the best use of limited resources, given that major amendments will drive forest harvesting.

All 18 FDPs met Code content requirements and were consistent with SDM direction. One FDP was considered borderline by the project team. Its content was minimal, it had little in the way of clear commitments, and project team members question whether the FDP, as written, would adequately manage and conserve forest resources.

Almost all of the FDPs had clear measurable commitments, with some variability, to manage and conserve forest resources. Some of the measures were quantifiable or clearly measurable, while others were more general. For most of these FDPs, the objectives and strategies were specific enough to assess whether they can be met in lower-level plans, such as SPs. In some cases, objectives and strategies were scattered throughout the FDP and hard to find. In four cases, it would not be possible to measure achievement of the objectives in lower-level plans because they were vague and were not measurable.

Notable examples are two cases where the MELP forest ecosystem specialist keeps an electronic database of resource features, such as wildlife and habitat information, on a digital map and makes it available to MOF and all licensees. This includes information identified by trappers and guide outfitters and the licensees. In another location, licensees provide information to MOF and MELP, who compile information, make it "known," and provide it to plan preparers in electronic format.

5.1.3 Adequacy of the FDP

Format and Presentation of FDPs

Format of FDPs

The Operational Planning Standardization Team, comprised of MOF, MELP and industry representatives, has produced a provincial template for FDPs, as recommended by the 1997 operational planning review. The template was developed to standardize FDP format for text, tables and mapping standards. The template is intended to achieve efficiencies, facilitate plan review and enable the eventual consolidation of FDPs at the landscape level (FDP template, MOF, June 1998). Use of the template is not mandatory; it may be used at the discretion of districts and licensees.

Eleven of the 18 FDPs sampled were prepared in accordance with the provincial FDP template. Three FDPs did not follow the template because they were prepared before it was available. However, in these districts, the template is now being used for new FDPs or for updates to the FDPs. The Cariboo Forest Region had previously developed its own FDP template, which exceeds the requirements of the provincial template. The three FDPs examined in the Cariboo Forest Region followed the region's FDP format.

All parties who review FDPs, including First Nations, the public, licensed users and interested parties, preferred the use of the provincial template format as it aids their review, particularly when they are reviewing several FDPs. Having a consistent format for the FDPs also assists review agencies in conducting a consistent and efficient review across FDPs within each district.

The template has provided streamlining and efficiency and now that FDP preparers and reviewers are familiar with using it, they do not wish to see changes made that would require them to again adjust the manner in which FDPs are prepared and reviewed. Keeping this in mind, there were suggestions for minor improvements that could be made to the template:

- Maps should more clearly show all previously logged blocks, previously approved roads, range boundaries, terrain symbols, First Nations traditional territories, and blocks and roads from other licensees in adjacent chart areas. Map requirements should be standardized.
- Understandable definitions of silvicultural systems, as the current clearcut/partial cut definitions are creating confusion with the public, leading several forest districts to create their own locally appropriate definitions.
- Tables summarizing responses to comments from licensed users, First Nations, interested parties and the public, similar to the ones prepared for agency comments, should be required.

Presentation of FDPs

The interviews revealed that virtually none of the public looks at the text of the FDP. Almost all First Nations, licensed users, interested parties and the public only review the maps. The plan text is written for the reviewing and approving agencies. Others who do attempt to read the plan text find it extremely

difficult to understand because the FDPs are not written for the layperson. The FDPs fulfil legal requirements and address technical reviewers needs and are not prepared as documents for public review.

Generally, map quality has improved significantly. Many interviewees noted a significant improvement in map quality, compared to several years ago. Digital mapping has provided the ability to include more information on maps. However, this can also result in making them cluttered and difficult to read at a glance. The general public had a difficult time interpreting the maps, unless they had previous map reading experience or spent a significant amount of time learning to interpret the maps. Having consistent symbols on all maps helps, especially at a joint open house where all the licensees display their FDPs. Many of those interviewed expressed a desire for summary or overview type maps that would be easier to understand for the public review process (e.g., ortho-photos).

Clarity and consistency in mapping

Managing and Conserving Forest Resources

The FDP evaluations included consideration of whether or not the FDP is likely to adequately manage and conserve forest resources. This was measured primarily by asking people their opinions. The stated objectives and strategies in each FDP, regarding protection of forest resources, were also reviewed to see if they were written in a clear and measurable way. The project team members exercised professional judgement in their evaluation. They considered whether the objectives and strategies in the FDP were sufficiently clear and measurable to enable the preparation of SPs.

Ministry of Forests and licensees all said that the FDPs adequately manage and conserve resources. Yet MELP, DFO, interested parties, First Nations, and licensed users such as guide outfitters and trappers often had concerns that the FDPs do not adequately manage and conserve wildlife habitat and biodiversity. Areas of concern involve fish, fish habitat and small streams, elk, moose and grizzly bear habitat, mushroom habitat and woodpeckers. As well, some MELP staff said the Code itself does not adequately protect wildlife and biodiversity, especially without implementation of higher level plans and objectives.

Some concerns were raised about the ability of FDPs to adequately manage and conserve forest resources where pest epidemics such as mountain pine beetle infestations are strongly influencing timber harvesting. For instance, on the west side of the Cariboo and Prince George forest regions and in the Merritt Forest District, harvesting operations are being dictated by major amendments due to spreading mountain pine beetle infestation. In some cases, agency staff do not have sufficient time to thoroughly review major amendments. In these circumstances, the effort spent on preparing and reviewing a detailed original FDP may not be the best use of limited resources, given that major amendments will drive forest harvesting.

All 18 FDPs met Code content requirements and were consistent with SDM direction. One FDP was considered borderline by the project team. Its content was minimal, it had little in the way of clear commitments, and project team members question whether the FDP, as written, would adequately manage and conserve forest resources.

Almost all of the FDPs had clear measurable commitments, with some variability, to manage and conserve forest resources. Some of the measures were quantifiable or clearly measurable, while others were more general. For most of these FDPs, the objectives and strategies were specific enough to assess whether they can be met in lower-level plans, such as SPs. In some cases, objectives and strategies were scattered throughout the FDP and hard to find. In four cases, it would not be possible to measure achievement of the objectives in lower-level plans because they were vague and were not measurable.

Figure 5. Examples of objectives and strategies.

Not Clear and Measurable	Clear and Measurable
Water/Riparian Management Prior to considering harvesting operations, all streams, wetlands and lakes in the affected areas will be classified to identify the riparian class as per the requirement in the *Forest Practices Code of British Columbia Act* and the *Operational Planning Regulation*. Depending on the classification of the stream, the width of a riparian management area (RMA) along the stream is determined. The RMA is established to prevent or minimize the impacts of harvesting operations on water quality, fish and wildlife habitat, and biodiversity areas. The RMA consists of a riparian reserve zone (if applicable) and a riparian management zone (RMZ). Harvesting within the reserve zone is generally not permitted, but harvesting may occur in the RMZ. Blocks will be reviewed on a site-specific basis as topography, windthrow hazard, etc. must be considered prior to proposing harvesting activities in the RMZ. Windthrow risk will be assessed and options considered to ensure the reserve zone is protected. During harvesting operations, water quality will be maintained by proper road construction practices, harvesting and then road and land deactivation techniques. The Department of Fisheries and Oceans and MELP will be consulted through the referral process. Any concerns raised will be addressed in the FDP.	**Water** Harvesting activities which may directly or indirectly impact water quality associated with known domestic water intakes, either licensed or unlicensed, will be preceded by consultation with the water user(s). Consultation will occur prior to the completion of the silviculture prescription. The objectives of consultation will be to confirm accurate location of water intakes and related infrastructure and plan and schedule harvest activities so that water quality or water supply are not impacted. Strategies to be considered include: • maintenance of a timbered buffer around the intake and the upstream watercourse, with the need for and size of the buffer dependent on side slope, potential for blowdown, soil type and silviculture system • avoidance of cross-stream yarding upstream of the intake • relocation of the intake where mutually agreeable • harvesting during the drier time of the year **Riparian Management** Where a riparian management area (RMA) has both a riparian management zone (RMZ) and a riparian reserve zone (RRZ) (i.e., for S1, S2 and S3 streams, W1 and W5 wetlands and L1 lakes), the following strategies within the RRZ will be undertaken: 1. where risk of blowdown is high: • maintain standing trees over the entire RMZ • no clearcutting • thin 0% to 100% of the RMZ to a maximum of 30% removal of basal area, focusing on retention of windfirm trees 2. where risk of blowdown is moderate • clearcut 0% to 50% of the RMZ • thin 0% to 100% of the RMZ to a maximum of 50% removal of basal area, focusing on retention of windfirm trees 3. where risk of blowdown is low • clearcut up to 100% of the RMZ Where an RMA has only an RMZ (i.e., for S4, S5 and S6 streams, W3 wetlands and L3 and L4 lakes), the following strategies within the RMZ will be undertaken: • retain key wildlife attributes characteristic of natural riparian ecosystems adjacent to wetlands and lakes

Figure 5. Continued.

Not Clear and Measurable	Clear and Measurable
	• fall and yard away from S4 streams; where falling away is not possible bridge individual trees and yard without disturbance to stream channel or banks • in general, fall and yard away from S5 and S6 streams while recognizing that directional bridging and cross-stream yarding will be permitted in instances which avoid excessive road construction, where potential modification to stream environments will be minimal and with consideration to downstream water quality values • remove introduced slash and debris concurrent with harvesting where there is potential for debris to be transported downstream and remove excessive debris where there is no potential for transportation In the portion of the FDP area within the special management zone, riparian strategies will be the best management practices as defined in the 1995 *Riparian Management Area Guidebook*.

Assessments

As described in section 3.2, recent changes to the Code result in fewer assessments being required at the FDP stage. The project interviews found that the availability of assessments in the FDP is not a concern for most people. Licensees have found it much more efficient to complete more assessments at the SP stage, when the likelihood of proceeding with the planned harvesting is much greater. Licensed users and interested, knowledgeable members of the public have generally found that they can get the assessments that are deferred to the SP stage, upon request, or as soon as they are completed. The majority of people interviewed do not have an interest in reviewing assessments. The public's level of satisfaction with the timing and availability of assessments seems to be affected by the licensee's willingness to make assessments available as soon as they are completed, and to involve interested public in the preparation of SPs.

Making assessments available to the public

However, in four districts, MELP staff raised concerns about the absence of cutblock-level assessments at the FDP stage, particularly terrain stability field assessments. They believe they cannot adequately review the FDP without that information. Some interested groups and vitally interested members of the public would also prefer to see assessments prepared and made available for review at the FDP stage. The limited ability of a district manager to rescind a Category A[8] approved cutblock, if an assessment shows harvesting a block or building a road is not acceptable, is a concern for some.

[8] Once a cutblock is given approval in an FDP, it achieves Category A status. That approval cannot later be rescinded, except in limited circumstances specified in the Code.

M121

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5.1.4 Link to Higher Level Plans

Link to Declared Higher Level Plans

For seven of the FDPs evaluated, there are higher level plans that have been legally declared under the Code. Two FDPs fall within the Kamloops LRMP, one FDP within the Kispiox LRMP, and one FDP within the Kootenay Lake Forest District, which has legally declared landscape unit objectives. These four FDPs were reviewed for consistency with their respective higher level plan, and consistency was discussed with the FDP preparers and reviewers. Three other FDPs fall within the Cariboo-Chilcotin Land Use Plan (CCLUP), but the project did not examine those FDPs for consistency with the higher level plan. The Board has conducted a separate special investigation of FDP consistency with the CCLUP.

In three of the four cases, the FDPs were clearly written to be consistent with the higher level plan objectives. In one case, it was difficult to assess consistency primarily because the higher level plan objectives are very general, making it difficult for the FDP to demonstrate consistency. The higher level plan was written before the Code was enacted. Generally, the more specific the higher-level objectives are, the easier it is to address them in FDPs.

Consideration Given to Other Strategic Plans

In addition to legally "declared" higher level plans, the evaluation looked at FDP consistency with other strategic land use plans such as regional and sub-regional land use plans that have not been legally declared (e.g., LRUPs, IRMPs, draft landscape units). Not including the seven FDPs mentioned above, five FDPs made commitments to be consistent with some elements of approved strategic land use plans that have not yet been declared under the Code. Four other FDPs also made commitments to be consistent with other strategic land use plans or objectives such as total resource plans, expired LRUPs, draft protected areas, draft landscape units and draft OGMAs.

Being consistent with non-declared higher-level direction

Licensees, government staff and the public view strategic land use plans as being beneficial, whether the plan is officially declared or not. A strategic land use plan helps make the FDP more straightforward to prepare, review and approve by setting out objectives that are generally accepted by the public. In those locations where there are no strategic land use plans, interviewees said that having a strategic land use plan would make the FDP planning process easier and more efficient. The lack of a strategic land use plan means that significant resource objectives may end up being developed at the FDP stage, without the benefit of full public and stakeholder input and involvement.

In addition to strategic land use plans, many interviewees commented that landscape unit plans, total resource plans, or similar local level plans would be more useful for FDP preparation and review than a strategic land use plan. The need to complete landscape unit planning was raised many times by plan preparers, reviewers and by the public.

5.2 Review and Comment

Forestry legislation and policy requires that MOF and licensees provide referral agencies, First Nations, licensed users, interested parties and the public with an adequate opportunity to review and comment on FDPs. To evaluate the effectiveness of the review process the evaluation examined how these parties were notified, how long they had to reply, where they could access the FDP, and in what format the

information was provided. Also, the evaluation examined whether their comments were adequately considered. It did so by looking at review and comment information in the FDPs, and by conducting a series of on-site interviews with reviewing agency staff, First Nations, licensed users, public and community interest groups and other members of the public.

5.2.1 Form and Adequacy of Opportunity for Review and Comment

Referral Agencies

Referral agencies were provided an adequate opportunity for review. These agencies were normally provided with a full copy of the FDP and accompanying maps and information to review. In 14 of the 18 districts sampled, round table meetings were also part of the FDP preparation and review process. In some cases, field trips also took place.

However, MELP staff said they often do not have the time or resources to thoroughly review the FDPs. There are a number of reasons for MELP's concern including:

- the large size of the allowable annual cut and the number of FDPs in some districts;
- situations where a MELP staff person has to review FDPs in several districts due to staff vacancies;
- the requirement to spend time on LRMPs as well as review FDPs, in some districts; and
- the requirement to spend time on other MELP priorities such as red- and blue-listed species management.

A lack of time and resources is compounded for MELP and other agencies when several FDPs come in for review at once. Some forest districts have staggered FDP submissions, in order to spread the reviewing workload out over the year. In one forest district, MELP has chosen to not review FDPs at all.

In some districts, MELP does not review major amendments—this is a concern where harvest is being dictated by major amendments. MELP spends effort reviewing the original FDP, when they know the FDP will be subject to major amendments because of beetle infestations, but they do not review the major amendments because of their staff shortages and time limitations.

The Department of Fisheries and Oceans is provided an adequate opportunity to comment. However DFO often relies on MELP to comment and limits comments to specific areas of interest, such as stream crossings. Consequently, DFO rarely provided written comments on FDPs. Other referral agencies such as BC Parks, MSBTC, and MOTH provided written comments infrequently.

Agency representatives were of the opinion that, where round table discussions are part of the review process, the opportunity to effectively review and comment on FDPs is greater.

First Nations

Aboriginal rights and title are recognized and affirmed in Section 35 of the *Constitution Act, 1982*. Canadian courts have determined that the provincial government has a legal obligation to ensure that resource management activities do not unjustifiably infringe upon the aboriginal rights of First Nations. Aboriginal rights can include fishing, hunting, trapping for food, and the use of land and resources for medicinal, spiritual and ceremonial purposes.

Statutory decision-makers have an obligation to consider whether FDPs are likely to infringe upon aboriginal rights before they approve the FDP. The MOF has developed policies for consulting with First Nations on resource management matters. Ministry of Forests district offices normally co-ordinate

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Statutory decision-makers have an obligation to consider whether FDPs are likely to infringe upon aboriginal rights before they approve the FDP. The MOF has developed policies for consulting with First Nations on resource management matters. Ministry of Forests district offices normally co-ordinate

First Nations consultation for all FDPs in the district, involving the licensee in consultations as appropriate. Some licensees set up meetings directly with First Nations or attend with the district manager.

In all 18 locations, it was found that First Nations are notified with a letter and are usually sent a complete copy of the FDP. In some areas, the district will customize the information sent to bands depending on what the band requests. Once the letter has been sent, in most cases, the district will arrange a meeting with First Nations at an agreed upon location and time to discuss the FDP and attempt to resolve any issues. The approach taken by the district or licensee for First Nation review varies among districts, as does the level of co-operation.

Representatives from 17 bands or tribal councils were interviewed. Of those, five were generally satisfied with the review and comment process, five were somewhat satisfied and seven were completely dissatisfied. Of the five that were satisfied:

- all had good working relationships with local licensees and the forest district office;
- one had funding from MOF to undertake FDP reviews;
- one was involved throughout the planning process; and
- all felt their comments were respected and acted upon.

Obtaining First Nations input

Eleven bands identified a desire to be consulted much earlier in the FDP process, before cutblocks are planned or at an early stage in the FDP process if they are to have an effective opportunity to comment. Eight bands specifically identified the need to be able to undertake meaningful reviews of FDPs. First Nations feel that this lack of sufficient resources and technical knowledge to conduct adequate review compromises their ability to provide informed comment on FDPs.

Most of those interviewed were not very satisfied with the responses to their concerns. Some of the issues they raise are difficult to address in an FDP, such as employment opportunities, treaty rights and co-management of resources. However, other concerns are specific to areas they use for trapping, hunting and berry picking, and can be addressed in the FDP. The more specific the concern, the more likely it was addressed by the licensee.

Most licensees and districts spend considerable time and effort consulting with First Nations. Relationships between FDP preparers, MOF and First Nations varied in each location sampled. Satisfaction tended to be much higher where there were good relationships and First Nations feel their comments were respected and had an effect on the FDP.

Licensed Users

Licensed users generally had an adequate opportunity to review and comment on FDPs. Licensed users said that the opportunity to review and comment on FDPs is better when they are consulted early in the process, before FDPs are drafted. In a few cases, the licensee or MOF will approach licensed users directly, before the draft FDP is prepared, in order to identify concerns and solicit comments. Where this does not happen, licensed users often said they would like to be consulted before FDPs are drafted and presented for formal review and comment.

Consulting with licensed users early in the process

In 17 of the 18 districts, licensed users received a notification letter announcing the upcoming dates for review and comment on the FDP, either at the licensee office, at another location, or at an open house. Some preparers include FDP maps with their notification letter, specific to the licensed user's area of

interest. In almost all cases, additional effort was made to contact licensed users. In addition to notification letters, licensed users may learn of the FDP review opportunity through:

- advertisements in the local paper;
- public service announcements on the radio;
- notices in the local post office; or
- a phone call from the licensee.

Notifying licensed users

Newspaper advertisements are not enlightening or eye catching for most, due to the legal wording and because they are often placed in the legal section of the newspaper. The newspaper advertisements typically do not include a detailed location description or a map illustrating the location of FDP operations, which is important for many licensed users.

In 10 of the 18 districts, licensees and the MOF set up meetings with some licensed users to discuss concerns and review the FDP. A number of licensed users said they do not attend open houses because these venues limit the opportunity for private discussions, and because they find it more effective to address their concerns through one-on-one meetings with the FDP preparer.

Meeting with licensed users

There were some differences in the level of opportunity provided among licensed users. Notification methods were similar, however the level of interaction varied. Water users and ranchers generally had more personal ongoing contact with preparers than guide outfitters, trappers and tourist lodge operators. Licensees hold regular meetings and field trips with ranchers and water users, as these licensed users are often part of an organized group, or were residents before the licensee began operating in the area.

Ongoing consultation with licensed users

Those licensed users that are not sent a notification letter indicated that is a barrier to review and comment. Also, some licensed users found the travel distance to review an FDP onerous and time consuming, especially if they do not live near the licensee's office or are in an isolated location. Unless their concerns are significant, the long trip is not worthwhile for them. Trappers and guide outfitters are examples of these types of licensed users. Some tourism operators said the review period took place during their busy season, when demands on their time made it difficult to review and comment on FDPs.

Interested Parties

Overall, interested parties tend to have a greater level of understanding and knowledge of the FDP process than the general public does. Most stated that 60 days to review and comment is adequate, provided they get to see the FDP early in the 60-day review period. Almost all interested parties interviewed said they would like to be consulted earlier in the FDP process—before FDPs are prepared and presented for formal review and comment.

For half of the 18 FDPs, some interested parties such as environmental or community groups were sent notification letters to advise them of an upcoming review and comment period. However, the majority must rely on seeing newspaper notices. Other notification methods include:

- radio advertisements;
- posting on web sites; and
- local community and LRMP meetings.

Notifying interested parties

First Nations consultation for all FDPs in the district, involving the licensee in consultations as appropriate. Some licensees set up meetings directly with First Nations or attend with the district manager.

In all 18 locations, it was found that First Nations are notified with a letter and are usually sent a complete copy of the FDP. In some areas, the district will customize the information sent to bands depending on what the band requests. Once the letter has been sent, in most cases, the district will arrange a meeting with First Nations at an agreed upon location and time to discuss the FDP and attempt to resolve any issues. The approach taken by the district or licensee for First Nation review varies among districts, as does the level of co-operation.

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In 10 of the 18 districts, licensees and the MOF set up meetings with some licensed users to discuss concerns and review the FDP. A number of licensed users said they do not attend open houses because these venues limit the opportunity for private discussions, and because they find it more effective to address their concerns through one-on-one meetings with the FDP preparer.

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There were some differences in the level of opportunity provided among licensed users. Notification methods were similar, however the level of interaction varied. Water users and ranchers generally had more personal ongoing contact with preparers than guide outfitters, trappers and tourist lodge operators. Licensees hold regular meetings and field trips with ranchers and water users, as these licensed users are often part of an organized group, or were residents before the licensee began operating in the area.

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Those licensed users that are not sent a notification letter indicated that is a barrier to review and comment. Also, some licensed users found the travel distance to review an FDP onerous and time consuming, especially if they do not live near the licensee's office or are in an isolated location. Unless their concerns are significant, the long trip is not worthwhile for them. Trappers and guide outfitters are examples of these types of licensed users. Some tourism operators said the review period took place during their busy season, when demands on their time made it difficult to review and comment on FDPs.

Interested Parties

Overall, interested parties tend to have a greater level of understanding and knowledge of the FDP process than the general public does. Most stated that 60 days to review and comment is adequate, provided they get to see the FDP early in the 60-day review period. Almost all interested parties interviewed said they would like to be consulted earlier in the FDP process—before FDPs are prepared and presented for formal review and comment.

For half of the 18 FDPs, some interested parties such as environmental or community groups were sent notification letters to advise them of an upcoming review and comment period. However, the majority must rely on seeing newspaper notices. Other notification methods include:

- radio advertisements;
- posting on web sites; and
- local community and LRMP meetings.

Notifying interested parties

The opportunity to comment includes:

- at open houses;
- at licensee office;
- at MOF office; and
- during pre-arranged meetings with the licensee or MOF.

Those interested parties who would like to do a more detailed review of FDPs feel that open houses are not the right place to conduct such a review. This is because of the lack of privacy, time constraints of the FDP preparers, and because others want to look at the FDPs and ask questions at the open house. These groups usually make other arrangements to review the FDP, such as at the licensee or district office, at the library, or borrowing a copy for review.

Accommodating detailed review of FDPs

Barriers to review and comment include:

- not being notified directly;
- notification advertisements in the paper are vague and the intent of the ad is not always clear for many (e.g., it is described as an FDP viewing not an FDP review);
- the timing of the review period in that the time of year can make it difficult to conduct field reviews for proposed Category A blocks in many locations;
- having to review five years worth of cutblocks at once;
- Staffing changes at MOF offices make it difficult to know with whom to talk—people lose established relationships and contacts;
- there may be a long distance to travel to review an FDP; and
- some environmental groups consider the confrontational atmosphere at some licensee offices a barrier.

Overall, there is a mixed feeling of satisfaction among interested parties with respect to having an adequate opportunity to review and comment on FDPs. Satisfaction largely depends on the relationship between the parties, the licensee and MOF staff.

Public

Most people interviewed said the 60-day review period is adequate, given that the review opportunity begins on the date the newspaper advertisement appears. However, many members of the public do not understand the FDP process and, without some context, find it difficult to get involved in reviewing and commenting on FDPs.

The public is notified in all cases primarily through an advertisement in the local newspaper. Other notification methods include:

- radio advertisements;
- posting on web sites;
- local community and LRMP meetings; and
- direct mail-outs from a stakeholder mailing list that is kept updated.

Notifying the public

Ten of the 18 FDPs were presented for review and comment at open houses scheduled at various times and in various locations within the district. Four of the 10 districts held joint open houses where all licensees and the SBFEP presented their FDPs together and six districts prepared consolidated FDP maps for the public. The FDPs were also available at the licensee or MOF offices. Where there were no open houses, the public could view the FDP at the licensee or MOF office. Two licensees placed copies of the FDP and maps in local libraries. One made the FDP available on the Internet. In addition to FDP viewings, six of the 18 districts offered to provide public field trips to discuss issues and concerns.

Grouping FDPs at one open house

Making FDPs readily available

The barriers that limit the public's involvement in the review and comment process were identified as:

- FDPs are technical and thus confusing to the layperson;
- the format and presentation of the information is not appropriate for effective public review;
- the timing of the review period is often inconvenient;
- for people who live out of town, or in a different town than the licensee or district, it is difficult to attend the open houses or travel to the licensee or district office during business hours;
- the public cannot always understand the legalese of the newspaper advertisements—they cannot tell if they should be interested in the FDP; and
- some members of the public expressed concern that they felt intimidated reviewing FDPs at licensee or MOF offices.

The public's level of comfort in approaching the licensee or MOF varied among districts. This seemed to depend on the individual they were dealing with. Members of the public interested in reviewing the FDP felt comfortable contacting the district or licensee directly, where an open-door policy existed, and where comments were thoroughly and honestly considered.

Facilitating public comment

Most district SBFEPs and licensees exceed the minimum requirements for consultation, review and comment specified in the Code. These licensees or districts said they utilize various tools in order to increase the level of participation in review and comment.

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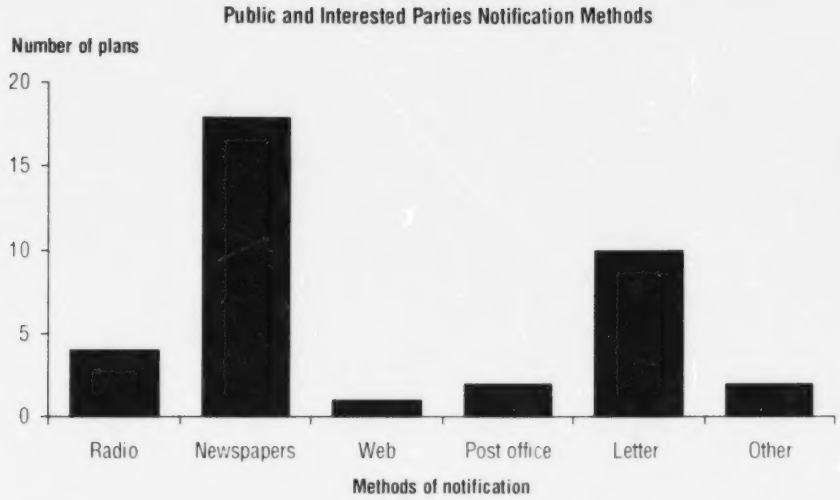
Figure 6. Notification methods.



Note: Numbers add up to more than 18 because some licensees used more than one notification method.

Some examples of effective public review and comment approaches identified through this special project are:

- visual tools such as ortho-photos or posters;
- summary or overview maps;
- written explanation of the FDP process and a guide to providing effective comments;
- oral presentations or an overview of the FDP;
- one-on-one meetings;
- inviting other local groups to set up displays at FDP open houses;
- encouraging school tours of FDP open house sessions;
- field trips with interested/affected people;
- year-round "open-door;"
- genuine interest and respect for public input;
- establishing a public advisory committee;
- consulting with interested persons year-round, not only during the formal FDP review and comment period; and
- making FDPs available at the local library.

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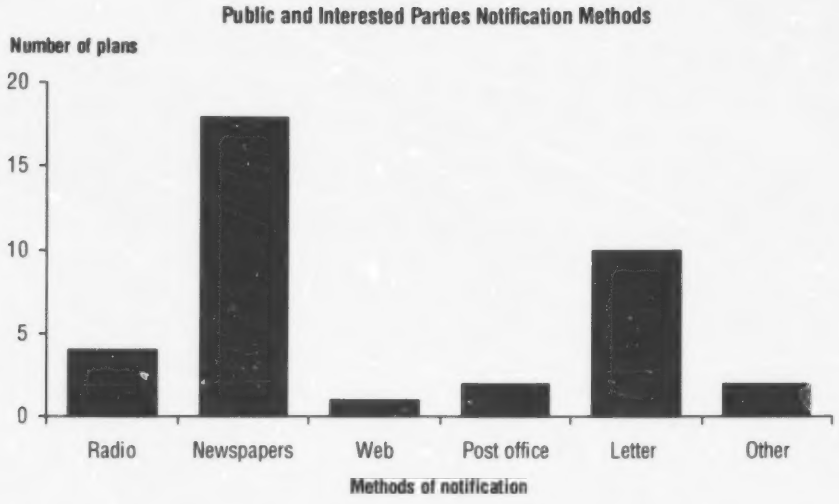

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5.2.2 Public and Agency Response

The Code requires that comments on an FDP be submitted in writing to the FDP preparer. The FDP preparer must include the comments in the FDP when they submit it for approval, and must indicate what changes were made to the FDP in response to written comments.

The number of people who review and comment on FDPs varies considerably between districts. In all cases, MOF is involved in reviewing and commenting on FDPs. MELP reviews and comments on FDPs in all but one district, DFO provided comments in five districts, and other agencies provided comments in eight of the 18 districts. Written comments on the 18 FDPs ranged from 0 to 26.

People who did not participate in the process were asked why they did not participate. The most common reasons given were:

- They do not have specific concerns, they are already satisfied or the FDP does not materially affect them.
- They believe logging is an important part of the local economy and accept the FDPs.
- They do not have a specific interest in the FDPs that would require them to participate.
- They feel one-on-one meetings are more effective than attending the open houses or writing letters.
- They did not have time during the review and comment period.
- The viewing locations are too far away.
- Their comments have been ignored in the past.
- They do not know what to comment on.
- The advertisements are so vague and they do not realize they should be involved.
- They were not aware that comments must be in writing in order to be considered.
- Their issues have been resolved at a strategic planning level and they are confident the solutions are being implemented in the FDPs.

5.2.3 Licensee Response to Comments

Material changes to the FDP in response to review comments

In many cases, changes to proposed activities in the FDP only result from comments from referral agencies. MOF comments almost always result in changes with MELP comments prompting changes in most cases. In two instances, MELP comments did not result in any changes to the FDP. In one case, DFO provided written comments on an FDP, the licensee did not respond and there were no changes to the FDP in response to the comments. In three other cases, DFO comments did not result in any material changes to the FDP.

One MELP staff person views the process under the Code as putting the onus on MELP to "prove" the resources will not be adequately managed and conserved, when usually the onus would be on a developer to prove there won't be negative impacts from resource development. This means that unless MELP can prove risk, changes are not made in response to the MELP comments.

Comments from licensed users such as water users or ranchers were normally considered and, because they were usually specific, their comments often resulted in changes to the FDP. Comments from interested parties and the public rarely resulted in changes to an FDP. Many comments from the public were general or related to strategic land-use or policy issues and could not be addressed in the FDP

(e.g., your AAC is too high). As well, comment from tourism operators, the MSBTC, trappers and guide outfitters usually did not result in changes. However, this depended on the type and nature of the comment and the commitment and ability on the part of MOF reviewer or FDP preparer dealing with the comments to affect change. In general, the more specific the comment was, the more likely the FDP preparer changed the FDP, where warranted, in response to the comment.

Including oral comments

In two locations, oral comments were recorded in the FDP, responses were given, and changes did result from the discussions. Otherwise, oral comments were not recorded in the comment summaries in the FDPs. Licensees and MOF staff do encourage people to provide their comments in writing.

Depending on the district and the relationship with First Nations, and on the nature of the comments, some comments from First Nations resulted in changes to FDPs, and some did not.

In general, specific comments tend to result in changes to the FDP, regardless of what the comment is about, or who submitted it. General comments do not usually result in changes to the FDP, as it is often difficult for the FDP preparer to respond to a general comment. Similarly, comments pertaining to policy or land use issues may be difficult for FDP preparers to address.

In all cases, those who submitted written comments received a written response from the FDP preparer and/or the district manager. In two locations, oral comments were recorded and given equal weight to written comments. In some locations, oral discussions take place during meetings, minutes are recorded and decisions are documented. In one location, the district manager considers comments in the approval determination and then follows up with the commenter to see if they were satisfied with how their comments were considered.

Requests for Additional Information

Those who request additional information during the review of the 18 FDPs, such as assessments, received the information. MELP and some environmental groups felt that assessments should be part of, or accompany, the FDP, but were generally satisfied that they could get the information once the assessments were completed. Overall, with one exception, those who asked for additional information received it. In one case, people asked for SPs, but did not receive them. In two cases, interviewees raised concerns about other FDPs they had reviewed where they did not receive additional information. In one case, the person was told to make their request formally through the *Freedom of Information and Protection of Privacy Act*. In another case, the person was told that a licensee only provides information to the district manager and the public must then ask the district manager to make the information available for review.

5.2.4 Public and Agency Review of Major Amendments

Contacting licensed users and affected parties

Generally, all major amendments are advertised in the local newspaper and are available at company or forest district offices for review and comment. In some cases, letters are sent to persons directly affected or to licensed users. Agency review (e.g., MELP) of major amendments varies between districts. Examples include:

- agencies are notified and sent copies of all major amendments;
- agencies get amendments at the discretion of the district manager; and
- agencies get only those amendments they are known to have an interest in.

Protocol agreements

Some referral agencies had a protocol agreement with the MOF, outlining how amendments would be handled.

Most of the public is unaware of major amendments. Many people complained that the bland legal wording of newspaper ads fails to attract their attention. Unless the advertisement cites a specific geographic area, the public is unable to determine if they have an interest in the amendment.

Several of the districts visited are dealing with FDPs which are experiencing multiple major amendments due to bark beetle infestation, blowdown or major ice storms that have damaged timber. Concern was raised over the amount of time spent on reviewing the original FDP when all parties know that major amendments, and not the original FDP, will dictate actual harvesting and road building activities. MELP, in particular, was not able to spend sufficient time reviewing major amendments in some districts. In these circumstances, the effectiveness of a five-year FDP is questionable, and the allocation of limited resources to the review of the original FDP, rather than major amendments, does not appear to be appropriate. A different approach seems to be warranted in these circumstances.

When it comes to keeping track of amendments, most districts and licensees use binders, a database, files or some other system. No one appeared to update the FDP map folio to reflect amendments in FDP updates. Rather, they are done on a map by map basis. All persons interviewed were confident that amendments were tracked satisfactorily and that they were able to find out where operations are taking place.

Some interviewees suggested that a more flexible process is needed to allow amendments to be made when necessary, without the current administrative burden and red tape. Others suggested that district managers should have more authority to vary amendment requirements as a means of improving efficiency and effectiveness.

5.2.5 Access Management

Many of the written comments on the 18 FDPs raised concerns about access on forest roads. In some areas of the province, road access is the single largest and most controversial issue the public has with forest development activities.

The requirement for licensees to prepare access management FDPs was eliminated when the Code was streamlined in 1998. Several district managers and licensees identified a need for a co-ordinated access management planning process at the district level to replace access management plans.

Because FDPs affect public access on forestry roads, the FDP is the forum where the public and agencies raise concerns about access impacts. The licensees cannot address many of these concerns in the FDP, and there is no other process where the concerns can be addressed. Consequently, the issues do not get resolved.

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Addressing access management

In one district, an access management plan is prepared for the entire district, as a requirement of the LRMP. This allows access management issues to be addressed and co-ordinated across licensees. However, in most districts where access is a major concern, there is currently no process to address the issues.

5.3 Forest Development Plan Approval

The statutory decision-maker (SDM) (district manager or the district manager and designated environmental official, as some areas require joint approval) must make a determination to approve or not approve an FDP, based on the information provided to him or her by the FDP preparer and others. In order for an FDP to be approved, it must have been prepared and submitted in accordance with the requirements of the Code. The SDM must also be satisfied that the FDP adequately manages and conserves the forest resources of the area, before the FDP can be approved. This is set out in section 41(1)(b) of the Code.

There is a slight difference for FDPs prepared under the SBEP. The SDM "gives effect to" the FDP, rather than approving the FDP. The FDP must have been prepared and submitted in accordance with the requirements of the Code, but there is no explicit requirement for the SDM to be satisfied that the FDP adequately manages and conserves the forest resources of the area.

How district managers make the determination to approve, or give effect to, FDPs varies among the 18 districts sampled. Only two SDMs used a formal risk analysis process in deciding whether to approve the FDPs. The other SDMs considered:

- forest development plan consistency with draft or approved strategic-level plan objectives;
- comments provided by review agencies and MOE staff at initial round table meetings and in writing;
- consistency with MOE/MELP direction letters;
- forest development plan compliance with content requirements and district operating procedures and expectations;
- consultation with staff and specialists;
- other information provided in the FDP; and
- First Nations and public review comments.

Most SDMs now produce a written approval rationale when they approve an FDP. Out of the 18 FDPs sampled, 16 had a written rationale letter prepared by the SDM. One of these only provided a rationale for biodiversity. The rationale outlines the considerations that were taken into account and the various issues that were considered in the determination. The rationale is normally provided to the licensee, along with the approval letter.

In several cases, MELP did not receive a copy of the approval letter, rationale letter the final FDP, an explanation of how their comments were considered in the approval decision, or copies of public comments.

Following FDP approval, some forest districts hold debriefings to provide feedback on the review and approval process and to identify improvements for the future.

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The length of time it took from the initial draft FDP submission to the final FDP approval averaged 171 days as shown in Figure 7.

Figure 7. Table of FDP processing/approval times.

FDP	Number of days for approval (including the review period)	Number of plan years approved	HLP
1	98	2	Yes – RLUP
2	101	2	Yes – LRUP, draft LRMP
3	105	1.5	No
4	119	1	Yes – draft LRMP
5	142	1	No
6	148	1	No
7	150	2	Yes – LRMP
8	173	2	Yes – LRMP
9	177	2	Yes – draft RLUP, SMZ
10	195	2	Yes – LRMP
11	209	1	No
12	211	2	No
13	216	1	Yes – draft LRMP
14	216	1	No
15	218	2	Yes – draft LRMP
16	219	2	Yes – RLUP
17	227	2	Yes – draft LRMP
18	290	2	Yes – RLUP
Average approval time	**– All FDPs**	**178 days**	
	– SBFEP FDPs	**190 days**	
	– All other FDPs	**171 days**	

More FDPs are now being approved for a two-year period. Of the 18 FDPs, 11 were approved for two years, one for a year and a half, and the rest for one year. Two-year approvals were regarded as more efficient, provided the intended development is relatively stable and significant changes are not foreseen. If major amendments are required, it detracts from the time spent on the review of the approved FDP.

5.4 Is the Planning Process Meeting the Intended Purpose?

A person cannot legally harvest Crown timber under a major licence, except for very minor amounts, without an approved FDP. FDPs identify and guide harvesting and road building operations and specify how forest resources are protected during those operations. FDP preparers use maps, text and tables to convey the proposed harvesting, road access and other information concerning topography, streams, road deactivation, recreation features and cultural values that are significant to the development pattern.

The statutory opportunity for review of FDPs prior to approval gives agencies, affected parties and the public the opportunity to influence the design of proposed harvesting operations regarding forest values and other interests, but not the quantity.

The Ministry of Environment Lands and Parks, licensed users, interested parties, the public and First Nations were of the opinion that FDPs adequately identify and guide harvesting and road building operations but fail to specify how timber values are protected during those operations.

For FDPs to meet their intended purpose, they must be understandable and useable. FDPs that are vague, unclear or contain only minimal information, diminish the level of public trust that is essential for the planning process to work.

Are FDPs Understandable?

The review found that FDPs are understandable for the preparer, approver and agency reviewers but are too complex for most other people. Licensed users and the public primarily focus on the map folio to get the information they need. However, only those people familiar with using forestry maps can understand them. Agency staff usually understood the FDP text, although a number of agency staff commented that FDPs are not always well written and could use improvement. For most other reviewers, the text is too technical and therefore difficult to understand. The project team found that commitments, strategies and measures to protect forest resources were not clearly articulated in some of the FDPs. Filler text copied from regulations and guidebooks sometimes made the FDPs intended strategies unclear.

Most of the FDP preparers interviewed acknowledge that the FDP is written to meet Code requirements, and to satisfy the review agencies (e.g., content requests from MELP). Most of the individuals involved in the preparation, review and use of FDPs are professional foresters. The FDPs are written by and for these specialised professionals, not for the general public, even though they are used as the basis for public review and comment.

The FDP audience has a wide range of knowledge and familiarity with FDPs; and a wide variety of interests in FDPs, technical knowledge and reasons for viewing FDPs. It is difficult for one document to meet the needs of these different users. Consequently, the process is frustrating to many stakeholders.

Are FDPs Useable?

Forest development plans are generally useable by those who regularly work with the FDPs: preparers and agency staff. During the special project, licensed users, interested parties, First Nations and the public frequently said that they:

- use the maps to identify specific information;
- find the text hard to understand; and
- do not have sufficient technical knowledge to review the FDPs.

Licensees and MOF believe that FDPs achieve their purpose to identify and guide harvesting and road building operations and to specify how forest resources will be protected during those operations.

In highly dynamic environments (e.g., bark beetle infestations and natural disturbances such as ice storms), FDPs cannot meet the intent of providing an orderly plan for development of roads and harvesting and a meaningful opportunity for public review and comment. Roads and harvesting are influenced by the spread of beetle infestations or by the need to salvage damaged timber. While the FDP

retains its intent of specifying measures to protect non-timber forest resources, a more flexible approach may be needed to plan for the development of roads and harvesting, recognising the short lead time and the dynamic nature of operations in these circumstances.

5.5 Are all Parties Satisfied with the Forest Development Planning Process?

Forest development plan preparers and approvers are generally satisfied with the planning process as it now stands. They are comfortable working within it, now that the process appears to have stabilized after the efforts made to establish a template and clarify requirements under the Code in the past few years.

The Ministry of Environment, Lands and Parks, licensed users, interested parties, First Nations and the public were generally not satisfied with the process. In seven districts, MELP staff said they would like more block-specific information regarding biodiversity and wildlife habitat in the FDP. In four districts, MELP staff said they would like to see assessments, primarily terrain stability assessments, included in the FDP.

There are different levels of satisfaction amongst licensed users, First Nations, interested parties and the public, but the common feeling was that they are powerless to influence FDPs. The most common complaints were that:

- The review and comment process is not designed to receive meaningful input to assist the preparer.
- The process is only a required step for the licensee to obtain FDP approval.
- The FDP is a "done deal" before reviewers have the opportunity to provide input.
- They want more involvement earlier in the preparation of FDPs (interviewees were more satisfied when involved throughout the planning process).
- They felt the preparer did not take their comments seriously and the comments were not really addressed (interviewees are generally satisfied with the process where the preparer respects their input).
- They would like more substantial responses to their comments. Many viewed the responses from licensees as "excuses for why they don't have to listen to our concerns."

A number of trappers and guide outfitters felt that MELP should be looking after wildlife habitat on their behalf, rather than them having to deal directly with each licensee. They would like to identify wildlife habitat features to MELP and then trust MELP to ensure that those features are considered in FDPs. They stated that MELP does not listen to them or cons ılt them about wildlife populations and habitat. They also feel that MOF and licensees do not give adequate weight to their comments and concerns.

There appears to be inequity with how licensed users are treated in the overall process. Ranchers and water users seem to have more involvement and effect on FDPs than other licensed users such as trappers, guide outfitters and tourism operators.

Most First Nations are not satisfied with the process. Many want to be consulted earlier in the process. However, most do not have the capacity to participate in the FDP planning process. They lack the technical ability and knowledge to review and comment effectively on FDPs. Some also feel that their needs cannot be addressed until treaty and other issues are resolved. First Nations raise concerns about economic opportunities and express a desire to co-manage the forest resource. The FDP process is not the right place to address these types of issues, but it may be the only opportunity First Nations have to raise these concerns.

M121

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Figure 8 illustrates interviewees' levels of satisfaction with the review and comment process.

Figure 8. Levels of satisfaction with the review and comment process.

	Referral agencies			Licensed users	Interested parties	Public	First Nations
	MOF	MELP	Others				
The FDP addressed parties' comments	100% (18/18[a])	56% (9/16)	63% (5/8)	66% (8/12)	30% (3/10)	17% (1/6)	41% (5/12)
The process meets their needs	100% (18/18)	66% (10/15)	66% (6/9)	62% (8/13)	50% (5/10)	60% (6/10)	38% (5/13)

[a] Numbers indicate locations, not individual people.

The process works best and there is a higher level of satisfaction where:

- there is consultation throughout the process;
- the preparer genuinely listens to and adjusts FDPs based on review comments;
- people feel that their comments are respected;
- people are able to influence changes where appropriate;
- forest development plan text is well written and clear;
- reviewers/approvers do not spend time editing FDP wording at the expense of FDP content;
- there is an effective strategic plan in place; and
- there is a good working relationship among the preparers, reviewers, local community and approvers.

The following points characterize good working relationships:

- Regular round table or expectation meetings, involving agencies and FDP preparers, are held to address issues before the formal review process.
- Regular meetings are held with licensees and agencies to review new policies.
- A licensee anticipates the direction of planning and willingly includes draft information rather than wait for "known" information to be defined, and to use their initiative to improve an FDP, such as including expired LRUP objectives in the FDP, including draft protected areas, and draft special management zones.
- Ministry of Forests and MELP staff co-operate, with mutual respect, throughout the process.
- Respectful relationships are maintained between those involved in the FDP process.
- Staffing is adequate and stable.
- Genuine open-door policies prevail at the office involved in the process.

A high level of professional respect and trust between the licensee, MELP and MOF reduced review and approval issues and related time and effort. This includes using joint meetings and field trips to avoid duplication, save money and help resolve issues on the spot.

The planning features that contribute to a higher level of satisfaction also contribute to a higher level of trust and are closely linked to a higher personal commitment and professional ethics, which leads to meaningful public involvement in the process.

5.6 Efficiency and Effectiveness of the Planning Process

The efficiency and effectiveness of the planning process is directly linked to the planning costs and the costs and effort for review and approval.

Efficiency and effectiveness of the process increases where:

- **the template is used and amended when appropriate;**
- **two-year approvals are given, provided there is sufficient background work done;**
- **resource inventories are co-ordinated and easily accessible;**
- **there is a good working relationship (respectful, open-mindedness, innovation, open to change) among the preparers, reviewers, approvers and the public;**
- **round-table meetings are used to identify and address issues during preparation of the FDP; and**
- **Ministry of Forests and MELP provide joint direction, review and meetings.**

Efficiency and effectiveness of the process is diminished where:

- preparers prepare an FDP with minimum commitments and vague language, causing negative feedback and a decreased level of trust;
- preparers ignore agency comments and public input;
- information is not co-ordinated and shared;
- forest development plans do not include block-specific information, leading to the need for amendments later; and
- the preparation, review and approval of FDPs and amendments within a forest district are not spaced out over time.

Features of the process that are cost-effective are:

- **the provincial FDP template is efficient and saves time for preparation and review; and**
- **the reduction in assessments at the FDP level produces savings (however, this may produce difficulties for reviewers).**

Features of the process that are not cost-effective are:

- forest development plans prepared in the absence of a strategic plan and where the preparer does not consider local forest values;
- poorly researched and poorly prepared FDPs may require subsequent substantial amendments;
- advertising multiple major amendments in the newspaper;
- forest development plans having excessive detail in tables;
- five-year plans in dynamic circumstances such as an area of high beetle infestation;
- detailed FDPs for small volume forest licences;
- extensive reprinting of text and maps for consultation purposes;

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- Staffing is adequate and stable.
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- detailed FDPs for small volume forest licences;
- extensive reprinting of text and maps for consultation purposes;

- a one-way consultation process; and
- open houses where there is low public attendance.

Positive Influences on the Process

The best FDPs and the highest level of satisfaction with the process were in locations where there was a responsible, constructive planning environment driven by the goodwill and stewardship ethic of the preparer and the respective SDM. In particular, the following was noted:

- Affected parties were included early in the process, there were round table meetings, there was ongoing consultation with affected parties, and direct consultation with First Nations and major licensed users.
- There was a strategic-level plan in the form of a LRMP or HLP. Land and resource management plans and HLPs help eliminate debates about the resource management objectives for an area.

The project team noted instances where planning meetings among the licensee, MELP and MOF resolved issues up front, shared resource information and thereby minimized plan review and comment time. In addition, the meetings were an opportune time to review and discuss district policy. The inclusion of affected parties and reference to existing LRMPs and HLPs reduced the time for plan preparation and approval, and increased the comfort level that the process is working to manage and conserve values and forest resources.

Overall, the individual commitment of the preparer to genuine public consultation, the preparer's desire to produce a professional quality FDP, and the approver's desire to manage and conserve forest resources produced the best FDPs and had the greatest impact on local public satisfaction.

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6.0 Conclusions

This special project set out to address the following questions:

1. Is the current legal and policy framework for FDPs appropriate?
2. Is FDP content adequate with respect to protecting and maintaining forest values as set out by the preamble to the Code?
3. Do the public and referral agencies have adequate opportunity to comment on FDPs (and amendments to FDPs), and are their comments adequately considered?
4. Do FDPs reflect approved strategic land use plans, and other higher level plans?
5. Is the planning process is meeting the intended purpose and is it working effectively and efficiently in the view of those involved in the process, including the public?

6.1 Current Legal and Policy Framework

While the current legal and policy framework is generally appropriate, the lack of implementation of higher level plan objectives in some parts of the province is hindering the effectiveness of the FDP planning process. The lack of strategic objectives for managing some important forest resources may result in FDPs that are not providing adequate protection for the resources and, accordingly, are not consistent with the intent of the Code.

The use of "known" information, as set out in the *Operational Planning Regulation*, is resulting in resource information being excluded from some FDPs, even when it is more than four months old, because of the way section 18 is being interpreted by some forest districts. Ignoring existing resource information because it has not legally been declared is neither consistent with sound forest management, nor with the responsibilities of professional foresters.

Code streamlining undertaken by government in 1998 has been effective and has resulted in efficiencies, according to government staff and licensees interviewed. However, the streamlining has removed a regulated requirement for access management planning. While one district in the sample of 18 has proceeded to develop access management plans on its own, as part of its LRMP, other districts raised concerns that there is no longer a process to address access issues.

The *Forest Development Plan Guidebook* and the *Public Consultation Guidebook* are both outdated and no longer provide direction on government's intent for FDP planning. They do not reflect the Code streamlining changes that took place in 1998.

This special project has also identified concerns about the ability to address forestry activities in areas subject to significant insect infestations or similar natural disturbances. The reliance on major amendments to obtain approval of planned development and harvesting may not ensure that forest resources are being adequately managed and conserved. The cost of the major amendment process was identified as an inefficiency by some districts and licensees working in highly dynamic environments.

6.2 FDP Content

Content of the 18 FDPs examined in the project was consistent with the Code requirements. The main concerns with FDP content arise where there are few strategic-level objectives for forest management to guide the FDPs, and where FDPs are not written in a clear and concise manner, making the content difficult to interpret or understand. Most government staff responsible for reviewing and approving FDPs found the content of the 18 FDPs to be reasonable. However, there were concerns raised that FDPs do not contain sufficient information on how they will protect important forest resources during forestry operations. These included concerns about protection of wildlife habitat and biodiversity, as well as other forest resources such tourism resources and botanical forest products.

The review has also reinforced concerns about the role of MELP in providing direction on FDP content. MELP has an important role to play and yet, in some districts, MELP involvement in FDPs is very limited, or non-existent.

6.3 Opportunity to Comment on FDPs and Consideration of Comments

Where government agencies and licensees used a round table meeting process during development of FDPs, they were more effective at identifying and addressing issues during the preparation of the FDP. While agencies are provided with adequate opportunity to participate in the review and comment process, MELP does not always participate fully because of a lack of staff. Government agencies were also concerned that their input is not always considered or used in the FDP.

While the public is usually provided with an adequate opportunity to review and comment on FDPs, the method of notification and the presentation of plan material may not always be appropriate for the intended audience.

Many interviewees complained that newspaper ads are vague and do not provide the necessary location information for people to determine their potential interest. They also said the FDPs are too technical for the lay person to understand.

There were examples where plan preparers were innovative and used effective consultation methods and materials. Those effective consultation approaches and methods are identified in this report.

Many of the people with a significant interest in FDPs, such as First Nations, licensed users and some interested parties, said they would like to be involved earlier in the process, while FDPs are being developed, before the formal review and comment period commences.

Another serious issue is the inability of some First Nations to participate effectively in the process. First Nations often lack technical knowledge and resources to provide informed comment on FDPs. Some of the issues and concerns First Nations people have with forestry activities cannot be addressed through consultation on FDPs. Concerns about aboriginal title and socio-economic impacts of forestry need to be addressed through treaty negotiations or other government-to-government forums.

Many of the First Nations, licensed users, interested parties and the public were concerned that FDP preparers do not listen to their comments. They feel that their comments either "go into a black hole," or are dismissed and treated as unimportant. Based on reviewing the written comments submitted on the 18 FDPs, the more specific the comments, the more likely FDP preparers made material changes to the FDP in response. People's satisfaction that they are listened to seems to depend primarily on their relationship with the FDP preparer and the responsiveness of the FDP preparer to public input.

6.4 FDP Consistency with Strategic and Higher Level Plans

Forest development plans are generally consistent with the objectives set out in higher level plans, where these plans exist. Licensees also tend to ensure their plans are consistent with objectives from other strategic- and local-level plans, where there is no higher level plan in place. The clearer and more specific the objectives in these plans were, the easier it was for FDPs to achieve consistency with the objectives.

Most people interviewed were of the opinion that having a good higher level plan in place improves the FDP process. In one district, MELP staff said the higher level plan reduced their time spent on FDP review and comment 15-fold. People also commented that local-level plans, such as total resource plans, would be even better. There was a strong desire for government to implement landscape unit planning as soon as possible.

6.5 Achievement of Purpose, Efficiency and Effectiveness

While current FDPs are achieving their purpose of setting out development of cutblocks and roads over a five-year period, the question of whether they are protecting other forest resources drew a mixed response. There are concerns that FDPs may not be adequately managing and conserving wildlife and biodiversity in particular.

Interviewees commented that the 1998 Code streamlining has resulted in efficiencies. There were still some inefficiencies identified through the review, but efficiency was not a significant concern. A more significant concern was the lack of effectiveness in obtaining public comment on proposed FDPs. District staff and licensees spend a great deal of effort on consulting the public, but commonly the feedback is disappointingly low. This may be the result of methods and approaches that are not effective, or it may be the result of a public that is generally "over-consulted" or are not interested. The important thing is for FDP preparers to ensure they are consulting with those people most affected by proposed FDPs.

The FDP process is most effective where the people involved have good working relationships, demonstrate a high level of commitment and professional ethics. This report has identified those circumstances where the process is working well, and has tried to point out some of the factors that contribute to the success in those areas of the province. This report may assist those involved in the FDP process across British Columbia to gain new ideas and learn from the success of others to improve their own FDP process.

APPENDIX 1 – FDP Content Review Checklist

FDP Content

1. Are the provisions made in the FDP consistent with those made in applicable higher level plan(s) and/or the LRMP(s) or draft landscape unit objectives at the time the plan was approved?
2. If provisions are made in general rather than specific terms are the strategies and planned activities set out in the FDP in line with the commitments in the higher level plan(s) and strategic landscape plans.
3. Does the FDP include the minimum content requirements:
   (a) Forest cover maps.
   (b) Topography, the location of those streams, wetlands and lakes that are shown on forest cover maps or fish and fish habitat inventory maps or terrain resource inventory maps.
   (c) Specify measures that will be carried out to protect forest resources.
   (d) Identify the following known items:
   - protected areas
   - designated areas
   - wilderness areas
   - sensitive areas
   - wildlife habitat areas
   - forest ecosystem networks
   - old growth management areas
   - scenic areas
   - ungulate winter ranges
   - community watersheds
   - community water supply intakes and related infrastructures
   - fish streams
   - riparian class of streams, wetlands and lakes
   - lake class

   (e) If significant risks to forest resources have been noted by a forest health assessment, include measures to reduce those risks.
   (f) The known objectives for known ungulate winter ranges?
   (g) For community watersheds, include the known water quality objectives
4. For an SBFEP FDP does the plan include:
   (a) Identification of cutblocks that are to be harvested under timber sale licences?
5. For a major licence FDP does the plan include:
   (a) Maps and schedules describing:
      (i) the size, shape and location of cutblocks proposed for harvesting during the period.
      (ii) the location of cutblocks proposed to achieve Category A status if the proposed FDP is approved.
      (iii) the location of cutblocks included as approved Category A cutblocks on the most recently approved FDP.
   (b) Whether resource assessments have been completed.
   (c) The timing of proposed timber harvesting and related forest practices.

(d) The proposed silviculture systems and harvest method for each cutblock.

(e) The general objectives respecting the target levels of retention for coarse woody debris and wildlife trees.

(f) The general objectives for riparian management zones.

(g) If the FDP includes Category A cutblocks, does the plan meet the required content requirements, including:

(i) in the form of a map, for areas that are within or adjacent to the cutblock, the location of the following items (if the items may be impacted directly or indirectly by the cutblock):

- known resource features, other than wildlife habitat features, domestic water supply intakes and archaeological sites;
- known private property;
- known licensed domestic water supply intakes and water supply infrastructure;

(ii) a description for the cutblock including:

- the year of harvest, if timing is critical to the management of non-timber forest resources;
- the location of any area of water that will be used as a helicopter or balloon log drop area;
- whether the silviculture system for the cutblock will be partial cut or clearcut;
- measures, if any, proposed to achieve higher level plan objectives;
- measures, if any, for the management of known ungulate winter ranges;
- whether the cutblock will be harvested by cable, aerial or ground based harvesting methods or a combination of those methods;
- the riparian class of streams, wetlands and lakes as determined by a riparian assessment.

6. Does the FDP include, for the area under the plan, maps and schedules describing the proposed road development, for each year of the plan?
7. Are maintenance activities described in the text of the FDP for surface maintenance, structural maintenance, and bridge and stream culvert maintenance?
8. Does the FDP include a schedule of road deactivation operations planned?
9. Have the necessary riparian assessments for the harvesting and road activities planned been carried out?
10. Have the necessary terrain assessments for the harvesting and road activities planned been carried out?
11. Have the necessary watershed assessments for the harvesting and road activities planned been carried out?
12. Have the necessary archeological assessments for the harvesting and road activities planned been carried out?
13. Have the necessary forest health assessments for the harvesting and road activities been carried out?
14. Has the licensee carried out other assessments as necessary for the harvesting and road activities planned in the FDP:
    - wildlife habitat areas?
    - visual impact assessments?
    - recreation features?
15. Has the licensee/SBFEP used the most comprehensive and accurate information available to them auditee at the time that the FDP was developed?
16. Are there clear commitments made to protect and conserve forest resources?

Review Process

1. Was the FDP referred by either the licensee or the district manager to:
   - resource agencies?
   - other licensed resource uses and stakeholders?
2. Was the review period for the FDP a minimum of 60 days or more?
3. Does the final FDP submitted to the DM include a summary of the viewing opportunity including copies of the advertising, written comments received, and a summary of revisions resulting from the public review?
4. Are all minor and major amendments attached to the FDP?
5. Were major amendments subject to a review and comment process?

APPENDIX 2 – Participation Matrix

FDP	Interviewees																	Totals by FDP
	Preparers, approvers and reviewers						Public											
	Licensee staff	MOF staff	MELP staff	MSBT	DFO	Other agencies	Local government	Trappers	Ranchers/farmers/loggers	Community/research groups	Environmental/wildlife groups	Contractors/union reps	Other stakeholders	General public	Tourism/guide outfitters	Outdoor recreation	First Nations	
VANCOUVER FOREST REGION																		**0**
Timberwest Forest Company Ltd., TFL 47	3	3	1	1	1	0	0	0	2	0	2	2	2	0	1	1	1	**20**
Coulson Forest Products. Ltd., FL A19234	2	4	3	0	0	0	1	1	0	1	0	1	2	0	0	1	2	**18**
Squamish SBFEP	0	4	3	0	0	0	1	0	1	1	1	1	0	0	1	1	2	**16**
KAMLOOPS FOREST REGION																		**0**
Ainsworth Lumber Ltd., FL A18693	4	5	1	0	1	0	0	1	3	0	4	0	0	1	0	2	1	**23**
Weyerhaeuser Co., FL A18698	3	4	3	0	1	0	0	2	2	1	1	0	0	1	4	4	1	**27**
Clearwater SBFEP	0	7	1	0	1	0	0	0	3	1	0	1	1	1	2	2	1	**21**
CARIBOO FOREST REGION																		**0**
Weldwood of Canada Ltd., FL A20001	4	3	1	1	0	0	0	1	0	1	1	0	0	0	4	1	0	**17**
Slocan Forest Products Ltd. FL A55712	3	2	1	0	0	0	1	0	5	0	2	0	2	0	3	0	2	**21**
Williams Lake SBFEP	0	7	2	0	1	0	0	0	2	3	0	0	2	0	2	0	1	**20**
NELSON FOREST REGION																		**0**
Kalesnikoff Lumber Company Ltd., FL A30172	4	4	2	0	0	1	5	0	0	4	0	0	3	5	0	1	0	**29**
Pope & Talbot Ltd, TFL 8	4	2	2	0	0	0	0	0	1	1	2	0	2	1	0	2	0	**17**
Cranbrook SBFEP	0	4	1	0	0	1	1	0	0	0	5	1	2	2	1	3	4	**25**
PRINCE GEORGE FOREST REGION																		**0**
Canadian Forest Products Ltd., FL A18154	2	5	1	0	0	1	0	3	0	0	1	0	0	0	1	0	2	**16**
The Pas Lumber Company Ltd., FL A18171	1	4	1	0	1	0	0	5	0	0	1	0	2	0	3	0	1	**19**
Vanderhoof SBFEP	0	6	1	0	0	0	1	0	4	1	0	2	0	0	3	0	0	**18**
PRINCE RUPERT FOREST REGION																		**0**
Kitwanga Lumber, FL A16819	2	3	1	0	0	0	0	1	0	1	1	2	0	0	1	1	1	**14**
Houston Forest Products Co., FL A16827	3	4	1	0	0	0	0	1	3	0	0	0	0	1	5	0	1	**19**
Kalum SBFEP	0	5	2	0	1	0	2	0	0	3	2	0	3	0	2	0	1	**21**
Totals	**35**	**76**	**28**	**2**	**7**	**3**	**12**	**15**	**26**	**18**	**23**	**10**	**21**	**12**	**33**	**19**	**21**	**361**

FL = Forest Licence
SBFEP = Small Business Forest Enterprise Program

APPENDIX 3 – Results from Other Board Work

In the course of conducting audits, investigating complaints from the public, conducting special investigations, and participating in administrative reviews and appeals, the Board has reached a number of conclusions and has made a number of recommendations related to the forest development planning process.

Those relevant results and recommendations made previously by the Board, are reviewed in this section.

Planning Context

The Board has commented on numerous occasions that the framework for forest development planning is not yet complete. The Board has recommended that government proceed expeditiously with the implementation of higher level plans under the Code. This will provide certainty and direction for the preparation of FDPs. The findings of this review strongly support the Board's previous position that higher level plans need to be implemented across the province.

Past Board Recommendation

The Board recommends that government should proceed with immediate implementation of higher level plans to legally establish strategic landscape-level objectives.[9]

In the Robson Valley Forest District, the district manager should prepare and implement a landscape-level plan for the area affected by the hemlock looper salvage operations. That plan should address biodiversity management issues set out in the Biodiversity Guidebook *and identify old-growth management areas of sufficient size to be commensurate with the larger cutblocks necessitated by the hemlock looper salvage operations.*[10]

Landscape unit planning is essential for effective management of biological diversity. Given the apparent biological diversity in the Mount Elphinstone area, the Board recommends that the district manager re-examine whether a low biodiversity emphasis is appropriate in the Chapman Landscape Unit. In addition, the Board encourages the district manager to follow through on his offer to the complainants to accelerate landscape unit planning.[11]

The Board recommends that the Arrow Forest District ensure that FDPs achieve the commitments agreed to by the MOF and MELP in the MOU to implement biodiversity objectives established in the Kootenay-Boundary Land Use Plan Implementation strategy.[12]

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[9] *An Audit of the Government of British Columbia's Framework for Enforcement of the Forest Practices Code*, December 1999, p. 3.

[10] *Salvage of Hemlock Looper Killed Timber in the Robson Valley*, July 2000, p. 13.

[11] *Biodiversity Conservation on Mount Elphinstone, Sunshine Coast*, April 2000, p. 9.

[12] *Audit of Timber Harvesting and Road Construction, Maintenance and Deactivation, Ministry of Forests Small Business Forest Enterprise Program, Arrow Forest District*, June 1999, p. A-2.

FDP Content

In a 1999 audit of forest planning and practices, the Board found that the auditee's FDP included a commitment to manage forest resources consistent with the local Land and Resource Management Plan, and landscape units.[13] The licensee was not legally required to do so, as neither the LRMP nor the landscape units have been legally declared under the Code.

However, two other audits noted FDPs that did not include much information about how the FDPs would protect important non-timber forest resources. In both cases, there is no approved strategic land use plan or higher level plan to provide guidance to the licensee or the district manager.

The findings of this review are consistent with these audit findings. Where strategic land use plans have been completed, but not legally declared as higher level plans under the Code, many licensees include commitments to the strategic land use plans in their FDPs. Where there is no strategic land use plan, or higher level plan, licensees and SBFEP staff have little guidance with regard to protection of non-timber forest resources and FDPs say very little about how these resources will be protected.

In one case, the Board requested an administrative review of a district managers' decisions to approve an FDP on the basis that the FDP did not adequately manage and conserve forest resources (marbled murrelet habitat).[14] Furthermore, several of the cutblocks were located within a protected areas strategy study area, where provincial policy states that no logging should take place. Also, some cutblocks were approved in areas where watershed assessments had not been completed.

Administrative reviews are heard by a panel of appointed government staff, who have the authority to amend or overturn the decision to approve the FDP.

In 1996, the Forest Practices Board requested an administrative review of the approval of the Brooks Bay FDP on the basis that it did not adequately meet the content requirements of the Code. That case was appealed to the Forest Appeals Commission, and the Commission decision provided important interpretation of what information FDPs are required to contain.[15]

Past Board Recommendations

The Board recommends that West Fraser Mills Ltd. ensure that its FDPs incorporate currently available information on non-timber forest resources in its tree farm licence, include objectives for their management and specify measures that will be taken to protect these resources.[16]

The Board recommends that government expedite the development and establishment of higher level plans, including landscape unit objectives, in a way that assists West Fraser in addressing non-timber forest resources in its FDPs.[17]

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[13] *Audit of Forest Planning and Practices, Pacific Inland Resources, a Division of West Fraser Mills Ltd., Forest Licence A16830*, December 1999.

[14] Forest Practices Board request for review of a decision to approve a FDP by Husby Forest Products, in the Queen Charlotte Islands Forest District.

[15] *Forest Practices Board v. Government of British Columbia* (Forest Appeals Commission, Appeal No. 96/04(b), June 11, 1998).

[16] *Audit of Forest Planning and Practices, West Fraser Mills Ltd., Skeena Sawmills Division, Tree Farm Licence 41*, January 2000, p. A-3.

[17] *Audit of Forest Planning and Practices, West Fraser Mills Ltd., Skeena Sawmills Division, Tree Farm Licence 41*, January 2000, p. A-3.

The Board recommends that the Port McNeill Forest District ensure that SBFEP forest development plans incorporate currently available information on non-timber forest resources in the district, include objectives for their management and specify measures that will be taken to protect these resources.[18]

Opportunity for Review and Comment

The opportunity for review and comment on FDPs is one of the most common themes in complaints the Board receives from the public. On a number of occasions the Board has made recommendations to forest district offices and to government to improve the public's opportunity for review and comment on FDPs. These recommendations have addressed notification procedures as well as the opportunity to review and comment on FDPs.

In one investigation, the Board also noted concerns about the lack of MELP review and comment on FDPs and made recommendations to government to address that situation. In another investigation, the Board found that neither MOF or MELP commented on an FDP proposal to construct a road in a riparian zone in Clayoquot Sound.

In a 1999 audit, the Board commended the auditee for using innovative methods to provide the public with an adequate opportunity to review and comment on its FDP.[19] This included sending letters to interested organizations and posting the FDP on the company website. The Board also noted the licensee's efforts to prepare understandable FDPs, make them available to the public and encourage comments.

In another audit, the Board commended an auditee for making a substantial effort to ensure that interested parties had an opportunity to comment on a minor amendment to its FDP, which did not require review and comment under the Code.[20]

In two administrative reviews, the Board requested a review of a district manager's decision to approve an FDP because the Board believed the public did not have an adequate opportunity to review and comment on the FDPs.[21] In both of these reviews, the Board was concerned that several cutblocks the district managers approved were originally presented as "deferred" or "information blocks" in the FDPs made available to the public. The public would not have provided comments on these blocks, because they did not believe the blocks were going to be approved as part of the FDP. The public was led to believe a decision on approval of these blocks would be made in the future and they would have future opportunities to provide comments.

Many of the concerns raised in this special project are not new to the Board. They have been raised in specific complaints in the past. In addition, this special project has identified examples where people are using some of the review and comment approaches recommended by the Board and they have been

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[18] *Audit of Forest Planning and Practices, Ministry of Forests Small Business Forest Enterprise Program, Port McNeill Forest District*, November 1999, p. A-5.

[19] *Audit of Timber Harvesting and Road Construction, Maintenance and Deactivation, Gorman Bros. Lumber Ltd., Forest Licence A18671*, October 1999.

[20] *Audit of Timber Harvesting and Road Construction, Maintenance and Deactivation, Forest Licence A20010, Tolko Industries Ltd., QuestWood Division*, December 1998.

[21] Forest Practices Board request for a review of a decision to approve a FDP by Timber West in the Queen Charlotte Islands Forest District and Forest Practices Board request for a review of a decision to approve a FDP by Interfor in the North Coast Forest District.

working well. Examples include using more effective newspaper ads, using additional methods to notify people of review and comment opportunities, making alternative arrangements for people to view FDPs, and placing FDPs in libraries and on the internet.

Past Board Recommendations

Agency Review of FDPs

MOF and MELP should provide a contingency for any inability by MELP to respond to referrals. A regional MOU should stipulate how decision-makers should apply section 41(1)(b) of the Act when information or input from the Ministry of Environment is not provided. Both ministries should provide direction to decision-makers regarding the use of the Memorandum of Understanding and its conflict resolution measures, with the expectation that it will be enacted, especially in the case of inter-ministry disagreements.[22]

The Ministry of Environment, Lands and Parks, should assess the risk to resource management caused by the current practice of limiting review of FDPs. The Ministry of Environment, Lands and Parks should advise the public about its ability to review FDPs and explain how it manages the risks created by limited review of FDPs.[23]

There was no written comment from the Ministry of Forests and the Ministry of Environment, Lands and Parks about the road being proposed in the Scientific Panel riparian reserve zone at both the forest development plan review stage and the road permit approval stage. Resource agencies should fulfill their responsibility to identify where a proposed practice differs from the default Code practice in their review comments, especially about areas where the public has indicated a high level of interest and concern.[24]

Guidance for Review and Comment

The Ministry of Forests should revise the Public Consultation Guidebook *and* FDP Guidebook *to include suggestions for alternative arrangements for persons to view FDPs if scheduled times or locations are inconvenient.*[25]

The Ministry of Forests should provide guidance to district managers regarding factors to consider in deciding the adequacy of a public review and comment period. In addition to the nature of a person's interest, and without limiting the factors, the Ministry should consider including the following:

- *availability to the interested or affected person of other opportunities for public input, both legislated and by policy, into the FDPs;*
- *the interest and ability of the person or organization to carry out technical review;*
- *the date when all required materials for review would be available to the interested or affected person;*
- *the volume and complexity of materials to be reviewed, including those materials required for the interested or affected person to review operational plans in neighbouring districts;*

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[22] *Approval of a Bridge Across the Babine River, near New Hazelton, BC*, August, 1999, p. 15.
[23] *Approval of a Bridge Across the Babine River, near New Hazelton, BC*, August, 1999, p. 15.
[24] *Road Approval Within a Riparian Management Area on Catface Mountain in Clayoquot Sound*, July 1999, p. 15.
[25] *Adequacy of the Notice of Public Review and Comment for Ten Forest Development Plans on Northern Vancouver Island*, April 1998, p. 16.

- *the degree of past expression of public interest or controversy in areas included in the FDP;*
- *a general obligation to allow for more than the minimum 60-day period unless there are compelling operational reasons to require only the minimum period;*
- *the reasonableness of the date suggested by an interested or affected person for conclusion of review and comment period; and*
- *the requirements for inter-agency review and operational pressures for timely approval of the FDP.*[26]

The Ministry of Forests should provide guidance to district managers regarding the nature and extent of a person's "interest" in an FDP.[27]

Notification

Use more effective ads to notify the public about opportunities to review and comment on FDPs. For example, the district should consider ads that are larger, are featured in more prominent sections of local papers and describe the location of planned activities in locally recognised terms so that interested members of the public can determine if they wish to provide comments.[28]

The Board recommends that the district manager expand the district's requirements for public notification by including additional notification methods, such as radio announcements and direct correspondence, as outlined in the Public Consultation Guidebook, *particularly for those FDPs in remote areas.*[29]

With respect to forest development planning processes generally, the Board recommends that persons submitting FDPs for approval:

- *consider placing radio advertisements providing notification of the availability of FDPs for public review and comment in areas where newspaper access is limited; and*
- *advertise public review and comment opportunities on their websites if they have them.*[30]

The Board recommends that the Ministry of Forests consider making arrangements with licensees to post notifications of opportunities for public review and comment on the ministry website as well as the licensee's website.[31]

Opportunity for Review

The DM should, upon reasonable request, provide a period longer than 60 days for public review and comment.[32]

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[26] *Adequacy of the Notice of Public Review and Comment for Ten Forest Development Plans on Northern Vancouver Island*, April 1998, p. 16.

[27] *Adequacy of the Notice of Public Review and Comment for Ten Forest Development Plans on Northern Vancouver Island*, April 1998, p. 16.

[28] *Proposed Logging on Durieu Ridge, near Mission, BC – Terrain Stability Requirements and Opportunity for Public Review and Comment*, August 1999, p. 9.

[29] *Public Review and Comment on Proposed Forestry Operations Along Takla Lake*, September 2000, p. 13.

[30] *Public Review and Comment on Proposed Forestry Operations Along Takla Lake*, September 2000, p. 13.

[31] *Public Review and Comment on Proposed Forestry Operations Along Takla Lake*, September 2000, p. 13.

[32] *Adequacy of Public Review and Comment Period for FDPs in the Slocan Valley*, July 1998, p. 30.

When there are recognized seasonal constraints to field review or complex inter-agency review requirements, FDPs should be made available for public review early enough to allow the review and comment period to be extended, if required.[33]

District managers should ensure that all general and technical information needed for effective public review of an FDP is made readily available to the public prior to the commencement of the public review and comment period. FDPs that exist in electronic form should be made available in that form on request.[34]

The Ministry of Forests and agreement holders should continue to explore ways to make proposed FDPs and maps more readily available to the public. As suggested in the Slocan Valley, these could include placing FDPs in a local library or resource centre where interested members of the public or other means such as the Internet could sign them out.[35]

Amendments

Between 1996 and 1999, the Board conducted a special investigation of the FDP process, and the major amendment process in particular, in the Queen Charlotte Islands. The Board made a number of recommendations for improvement to the amendment process as a result of that investigation.

The Board has also received a number of complaints about major amendments to FDPs as a result of insect infestations and requirements to salvage damaged trees. Those investigations have not yet been completed, so no recommendations have yet been made.

Past Board Recommendations

Referral organizations should identify the types of amendments they want to review and the information needed to review them, and licensees should provide this information directly to the referral organizations.[36]

Government should provide policy direction to generally restrict approval of amendments to situations requiring response to unforeseeable circumstances.[37]

Government should examine options for streamlining the amendment process without compromising conservation of forest resources, or public opportunity for review and comment where an amendment materially changes the results or objectives of an operational plan.[38]

Response to Comments

In one complaint investigation the Board was concerned that the FDP preparer did not respond appropriately to public requests to accommodate pine mushroom values in a FDP. The Board decided

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[33] *Adequacy of Public Review and Comment Period for FDPs in the Slocan Valley*, July 1998, p. 30.
[34] *Adequacy of Public Review and Comment Period for FDPs in the Slocan Valley*, July 1998, p. 30.
[35] *Adequacy of Public Review and Comment Period for FDPs in the Slocan Valley*, July 1998, p. 30.
[36] *Biodiversity Conservation on Mount Elphinstone, Sunshine Coast*, April 2000, p. 9.
[37] *Forest Development Planning in the Queen Charlotte Forest District Between June 15, 1995 and February 15, 1996*, March 1999, p. 33.
[38] *Forest Development Planning in the Queen Charlotte Forest District Between June 15, 1995 and February 15, 1996*, March 1999, p. 34.

that a written response and reasons for not addressing the complainant's concerns would have been appropriate in that case.[39]

Past Board Recommendations

Responses to comments during public review and comment periods should be documented and reasons should be provided when no action is taken on written requests to accommodate forest resources in FDPs.[40]

FDP Approval

In addition to the need for written responses to written comments requesting that forest resources be protected, a number of complaints have raised concerns about the need for written reasons when FDPs are approved. The Board has recommended that written reasons be provided in a number of different circumstances, as described in the recommendations below.

Past Board Recommendations

Due to the significance of the decision to approve FDPs, statutory decision-makers should record and retain specific reasons for those approvals. The regional director of the Ministry of Environment, Lands and Parks and the regional manager of the Ministry of Forests should advise the statutory decision-makers that potentially contentious decisions to approve FDPs require a clear written rationale.[41]

Decisions that follow significant public interest and involvement should be publicly communicated. Individuals with a known interest or who are directly affected by a decision should be advised of those decisions.[42]

Individuals with a known interest or who are directly affected by a decision should be advised of those decisions.[43]

When operational plans involve a significant number of blocks larger than the regional maximum specified by the Code, district managers should document the factors considered in the approval of large blocks and provide reasons for these approvals. These reasons should be available to the public upon request.[44]

Although the approval of the road location technically complied with the Clayoquot Sound Scientific Panel Recommendations *and the Code, the lack of written rationale made it difficult to review the level of consideration that went into the approval, including consideration of abandonment. A district manager should document reasons for approving road locations in riparian management areas. The rationale need not be so detailed that it creates significant additional workload, but it should demonstrate what alternatives to the proposed practices were considered and how they were evaluated. For example, in this situation, the evaluation should have included items such as alternative road locations and harvesting systems, and the risks and potential harm to the riparian area.*[45]

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[39] *Approval of logging within rare mushroom habitat,* August 1996, p. 23.
[40] *Approval of logging within rare mushroom habitat,* August 1996, p. 23.
[41] *Approval of a Bridge Across the Babine River, near New Hazelton, BC,* August, 1999, p.15.
[42] *Approval of a Bridge Across the Babine River, near New Hazelton, BC,* August, 1999, p.15.
[43] *Approval of a Bridge Across the Babine River, near New Hazelton, BC,* August, 1999, p.15.
[44] *Adequacy of a Forest Development Plan in the McGregor River Area East of Prince George,* December 1999, p. 13.
[45] *Road Approval Within a Riparian Management Area on Catface Mountain in Clayoquot Sound,* July 1999, p. 15.

APPENDIX 4 – Peer Review Committee List

Brian Murphy
Ministry of Forests
Forest Practices Branch

Ken Blom
Ministry of Forests
100 Mile House District

Brian Fuhr
Ministry of Environment, Lands and Parks
Skeena Region

Doug Morrison
Ministry of Environment, Lands and Parks
Vancouver Region

Jennifer Davis
Land Use Co-ordination Office

Kevin Weaver
Ministry of Small Business, Tourism and Culture
Tourism, Policy and Land Use Branch

Clive Johnson
Forest Watch
Okanagan Similkameen Parks Society

Jill Thompson
Sierra Club of British Columbia

Kerry Rouck
Gorman Brothers Ltd.

Randy Chan
Tolko Industries

Ray Zimmerman
Cariboo Lumber Manufacturer's Association

Larry Joseph
Gitxsan Treaty Office

Dale Drown/Colonel Anderson
Guide Outfitters Association of BC

Alan Ray
BC Trappers Association

John Bergenske
BC Environmental Network
East Kootenay Environmental Society

APPENDIX 5 – Detailed Methods and Approach

This special project was based on:

- an in-house review of the current legislative framework for forest development planning;
- review of 18 selected FDPs from across the province;
- interviews with approximately 361 individuals who have been involved in the process; and
- review of past work conducted by the Forest Practices Board through its audits, investigations and review and appeal functions.

The results of the above work were analyzed and a draft findings report was prepared. The draft findings report was reviewed by a peer review committee. The committee provided feedback on the draft findings and also made suggestions on possible recommendations that could be made. The findings were revised based on advice from the peer review committee, and the proposed recommendations were provided to the Board for consideration in finalizing its report and deciding on recommendations.

Plan Selection

A total of 18 FDPs were randomly selected for the special project. Plans were selected from three forest districts within each forest region. Two licensees and one small business forest enterprise program plan were chosen within each forest district. The forest district (for the SBFEP plans) and the forest licences were randomly selected, and the FDP for the district or license was then included in the sample.

The approach used in selecting the FDPs is referred to as judgement sampling.[46] The FDPs were selected randomly, but certain judgements were applied to the FDPs to decide if they would be eligible for selection. These judgements were:

- forest development plans approved or in effect in 1999;
- three FDPs where the intent of approved strategic higher level plans or other higher level plans is expected to be followed;
- forest development plan covers an area with a relatively large degree of public interest or population; and
- the forest licence has not been the subject of a previous Board audit or complaint investigation.

Once an FDP had been selected, a notification letter was sent to company representatives. Company contacts were then established. A series of telephone calls were made to company/district representatives and requests were made for relevant information, which included a copy of the approved FDP text, and other accompanying information such as major amendments, approval letters and public review and comment documentation.

[46] *Survey Sampling, A Non-mathematical Guide*, Statistics Canada.

Interviewee Selection

The groups and individuals interviewed as part of the special project were split into group one and group two interviewees. Group one consisted of licensee and ministry staff, and government agencies that review FDPs. Group two representatives included licensed users, interested parties, public and First Nations from within the area covered by the selected FDP. A total of approximately 361 people were interviewed for the project (see Appendix 2).

Those individuals involved in the preparation of the FDP were asked to be present for the interview. In most cases, a number of staff were involved in the interview. Convenient interview dates and times were established with the licensee and the Small Business Forest Enterprise Program. Interviews were conducted on site, at the licensee or ministry office.

Ministry of Forest contacts were also established. Forest development plan approvers and reviewers were asked to attend the interview. As with the licensees, convenient dates and times were established and the interview outline was sent ahead of time. Interviews were conducted on site at the respective ministry office.

Ministry of Environment, Lands and Parks staff directly involved in the review of the FDP were also contacted and asked to participate in an interview. In most cases, the MELP representative for the interviews was the forest ecosystem specialist for the district. Where a FDP required joint approval from a designated environmental official, that individual was asked to participate. The option of a joint MOF/MELP interview was proposed to MELP staff. In some cases, MELP chose to have a separate interview.

In cases where other federal or provincial government agencies were involved in the referral process, those individuals or departments were contacted and asked to participate. These other agencies included the Department of Fisheries and Oceans, the Ministry of Small Business, Tourism and Culture, the Ministry of Transportation and Highways, BC Parks, and the Oil and Gas Commission.

Group two selections were designed to gather input from a broad array of groups and individuals. Based on the level of interest and involvement in the area selected for the review, a list of potential group two interviewees was generated. Potential interviewees were identified from licensee open house attendance ledgers, stakeholder notification lists, from speaking to licensee or district contacts, and from the Board's internal contact lists. The project team tried to set up interviews with those who commented on the FDPs in question, those who were notified but did not comment, and those who attended open houses. Any other groups or individuals that might have an interest in the area and the forest development planning process, but did not participate, were added as potential interviewees.

Due to difficulties in contacting some of those in group two, it was not possible to interview the same number of people in each location. As a result, a sample of about eight to 15 group two interviewees participated in each area that was visited. Some people were unavailable to meet while the teams were on-site, so telephone interviews were conducted at a more convenient time. Who was interviewed depended on their availability and willingness to participate. In setting up the interviews, a balance of different types of interests across the province was sought. In general, people were very interested in the project and were willing to participate.

All interviewees were sent the outline in advance of the interviews. The site-visits and interviews took place between March and June 2000. Teams of two or three people conducted the interviews. One person would ask questions while the others recorded notes. The interviews were "semi-structured."[47] Specific questions were asked of each interviewee, consistent with the outline, but the interviewee was given a large degree of freedom to bring up other topics that were relevant to the study—such as their experience with FDPs other than the ones in the sample.

Evaluation

During the FDP review and interview process, the project team members alternated site visits and discussed preliminary results to ensure there was consistency across teams and across sites. This ensured that the process was consistent for all 18 sites visited.

The project teams created an overall evaluation for each site visited, based on their review of the FDP, the written comments submitted for the FDP, and the interviews. The results of all 18 evaluation summaries were then reviewed to identify trends, common themes, and other relevant information. The project team members met to compare the results across the sites and to develop the findings.

A draft findings report was prepared, which summarized the results of the FDP reviews and interviews.

Peer Review Process

The draft findings report was provided to a peer review committee. People from a variety of backgrounds with experience in the forest development planning process were invited to sit on the peer review committee. The peer review committee included people from First Nations, government, industry, environmental groups, and guiding and trapping organizations (see Appendix 4).

The committee members were provided with the draft findings and met twice as a group to review and provide comments on the findings and to propose possible recommendations for consideration by the Board. The draft findings were revised based on comments from the committee members.

The Forest Practices Board then considered the findings report as well as the advice from the peer review committee, in preparing its report and recommendations. The draft Board report and recommendations were also shared with the peer review committee. Part 1: The Report from the Board and the recommendations reflect the views of the Forest Practices Board members.

[47] *How to Do Research*, Nick Moore, The Library Association: London, 1993.

APPENDIX 6 – Glossary

Allowable annual cut (AAC): the allowable rate of timber harvest from a specified area of land. The chief forester sets AACs for timber supply areas (TSAs) and tree farm licences (TFLs) in accordance with section 8 of the *Forest Act*. Also, each forest licence has a set AAC.

Biodiversity (biological diversity): refers to the diversity of plants, animals and other living organisms in all their forms and levels of organization, including genes, species, ecosystems and the evolutionary and functional processes that link them.

Biogeoclimatic zone: a geographic area having similar patterns of energy flow, vegetation and soils as a result of a broadly homogenous macroclimate.

(Proposed) Category A: a cutblock outlined for approval in an FDP, which must meet specific criteria. Only proposed Category A blocks are made available for review and comment.

Category A: a proposed Category A cutblock that has been approved. Once a cutblock is given approval in an FDP, it achieves Category A status. That approval cannot later be rescinded except in specific circumstances described in the Code.

Category I: a cutblock and roads that do not meet the requirements of Category A, under section 20, may be shown on an FDP for information purposes only, and is deemed not to be part of the FDP.

Chief Forester: the assistant deputy minister of the deputy minister of the Ministry of Forests who is responsible for determining allowable annual cuts (AACs) and oversees the following department branches: Forest Practices, Forestry Division Services, Research, Resources Inventory, Timber Supply and Tree Improvement.

Christmas tree permit: a legal document that authorizes the holder to harvest, or grow and harvest, Christmas trees on Crown land.

Climax forest: a forest community that represents the final stage of natural forest succession for its environment.

Community watershed: an area designated as a community watershed by a regional manager under the Code; drainages of not more than 500 km^2, where a water licence was issued before June 15, 1995.

Cutblock: a specific area of land identified on an FDP, or in a licence to cut, road permit or Christmas tree permit within which timber is to be or has been harvested.

Cutting permit: a legal document that authorizes the holder to harvest trees under a licence issued under the *Forest Act*.

Designated Environment Official: a person employed in the Ministry of Environment, Lands and Parks who is designated by name or title to be a designated environment official by the minister of that ministry and has the authority to make certain decisions under the *Forest Practices Code of British Columbia Act* or the regulations that are set out in the designation.

District manager: the manager of a Forest Service district office, with responsibilities as outlined in the *Forest Act*, *Ministry of Forests Act*, *Range Act*, and *Forest Practices Code of British Columbia Act.*

Draft protected areas: candidates for protected areas. Protected areas are inalienable, in which no industrial extraction or development is permitted, and no mining, logging, hydro dams or oil and gas development will occur. A target of 12 percent of the province will be made up of protected areas, including land and freshwater or marine areas that are set aside to protect the province's diverse natural and cultural heritage and recreational values.

Expediated major salvage: means any harvesting of timber volume exceeding 2000 cubic metres that is dead, infested or otherwise damaged, which is required to be harvested to prevent the spread of insects or otherwise a significant reduction on the economic value of the timber.

Forest Development Plan (FDP): an operational plan which provides the public and government agencies with information about the location and scheduling of proposed roads and cutblocks for harvesting timber over a period of at least five years. The plan must specify measures that will be carried out to protect forest resources (including water, fisheries and other forest resources). It must also illustrate and describe how objectives and strategies established in higher level plans, where they have been prepared, will be carried out. Site-specific plans are required to be consistent with the FDP.

Forest ecosystem network (FEN): an area established under higher level plan, or by a statutory decision-maker for the purpose of maintaining or restoring the natural connectivity within an area.

Forest ecosystem specialist (FES): an employee of the Habitat Program, Ministry of Environment, Lands and Parks; specializes in habitat biology and ecology related to forest ecosystems, including advising on risks and potential impacts to habitat and wildlife; a statutory decision-maker for certain aspects of the Code; usually works out of the Ministry of Forests district office.

Forest Practices Code (FPC, Code): the 'Forest Practices Code' is a term commonly used to refer to the *Forest Practices Code of British Columbia Act*, the regulations made by Cabinet under the act and the standards established by the chief forester. The term may sometimes be used to refer to guidebooks as well.

Higher level plan: strategic objectives that provide direction to any lower level of plans, prescriptions or forest practices. Higher level plans include: an objective for a resource management zone; an objective for a landscape unit or sensitive area; or an objective for a recreation site, recreation trail or interpretative forest site.

Integrated resource management plan (IRMP): a plan that considers the full range of resources and values present on public lands, and aims to blend or co-ordinate management strategies and implementation requirements across jurisdictions.

Joint approval: a term referring to the requirement for approval of FDPs by the district manager and designated environment official, in some circumstances.

Known information: information that is either contained in a higher level plan or otherwise made available to the operational plan preparer by government. The plan preparer must include specified "known" information in the FDP. For example, "known" information may be the location of a sensitive area or a community watershed.

Land and resource management plan (LRMP): a strategic, multi-agency, integrated resource plan at the sub-regional level, involving the public.

Landscape unit: a planning area, designated by a district manager, delineated on the basis of geographic and/or ecological features such as watersheds. Once a district manager establishes a landscape unit, the district manager must also establish objectives.

Licence to cut: an agreement under the *Forest Act* allowing a person who purchases or occupies land, and who does not otherwise have the right to harvest Crown timber from the land, to cut and/or remove timber on the land.

Local resource use plan (LRUP): a plan approved by the district manager for a portion of the provincial forest that provides area-specific resource management objectives for integrating resource use in the area.

Memorandum of understanding (MOU): an agreement between ministries defining the roles and responsibilities of each ministry in relation to the other or others, with respect to matters over which the ministries have jurisdiction.

Mineral lick: a naturally occurring mineral source, which supplies animals with critical nutrients.

Mountain pine beetle: an insect, more specifically, a bark beetle that feeds on the woody tissue of mature and overmature lodgepole pine stands throughout British Columbia, sometimes causing death or damage to trees in a large area.

Old growth: old growth is a forest that contains live and dead trees of various sizes, species, composition and age-class structure. Old-growth forests, as part of a slowly changing but dynamic ecosystem, include climax forests but not sub-climax or mid-seral forests. The age and structure of old growth varies significantly by forest type and from one biogeoclimatic zone to another.

Old-growth management area: an area established under a higher level plan that contains, or is managed to replace specific structural old-growth attributes and which are mapped out and treated as special management areas.

Open house: a venue for public participation during the forest development planning process or any other planning process. An open house is used as a means for licensees, government and the public to exchange information.

Operational plan: a plan that details the logistics for development. Methods, schedules and responsibilities for accessing, harvesting, renewing and protecting the resource are set out to enable site-specific operations to proceed. Operational plans include forest development plans, range-use plans, silviculture prescriptions and stand management prescriptions.

Ortho-photo: a photo map.

Provincial forest: forest land designated under section 4 of the *Forest Act*. The Lieutenant Governor in Council may designate any forest land as a provincial forest. The uses of provincial forests include timber production, forage production, forest recreation, and water, fisheries and wildlife resource purposes.

Range: any land supporting vegetation suitable for wildlife or domestic livestock grazing, including grasslands, woodlands, shrublands and forest lands.

Rationale: a document provided by the district manager (DM) that describes the DMs reason(s) for having approved or disapproved a FDP.

Referral: a process by which applications for permits or licences made to one government agency by an individual or industry, are given to another agency for review and comment.

Regional land use plan: a strategic land use plan that defines land and resource values, and provides goals for these values at a regional level.

Road permit: an agreement entered into under part 8 of the *Forest Act* to allow for the construction or modification of a forest road to facilitate access to timber planned for harvest.

Scenic areas: means any visually sensitive area or scenic landscape identified through a visual landscape inventory or planning process carried out or approved by the district manager.

Seral stage: any stage of development of an ecosystem from a disturbed, unvegetated state to a climax plant community.

Silviculture prescription (SP): a site-specific operational plan that describes the forest management objectives for an area to be harvested (a cutblock). Silviculture prescriptions are required to describe the management activities proposed to maintain the inherent productivity of the site, accommodate all resource values including biological diversity, and produce a free growing stand capable of meeting stated management objectives. Silviculture prescriptions must be consistent with FDPs that encompass the area to which the prescription applies.

Special management zone (SMZ): an area under a strategic land use plan, where special management is needed to address sensitive values such as fish and wildlife habitat, visual quality, recreation, tourism and cultural heritage features. The management intent of SMZs is to maintain these values while allowing some level of compatible resource extractive use and development.

Statutory decision-maker: an official with the authority to make a decision under an Act or regulations, such as a district manager or a designated official from one of the three ministries.

Strategic land use plan: a plan at the regional, sub-regional, and, in some cases, at the local level, which results in land use allocation and/or resource management direction. Strategic land use planning at the regional and sub-regional level involves the preparation of resource management zones, objectives and strategies.

Sustained yield: a method of forest management that calls for an approximate balance between net growth and amount harvested.

Timber supply area (TSA): an integrated resource management unit established in accordance with section 6 of the *Forest Act*. TSAs were originally defined by an established pattern of wood flow from management units to the primary timber-using industries.

Total resource plan: a plan for long-term use of the forest development that guides resource use, such as logging, road building and recreation activities, over an entire area (such as a watershed); and that describes how approved objectives for identified resource values will be achieved on the ground.

Tree farm licence (TFL): privately managed sustained yield units. TFLs are designed to enable owners of Crown-granted forestlands and old temporary tenures or the timber licences, which replace them; to combine these with enough unencumbered Crown land to form self-contained sustained yield management units. These licences commit the licensee to manage the entire area under the general supervision of the Forest Service. Cutting from all lands requires Forest Service approval through the issuance of cutting permits. TFLs should not be confused with Certified Tree Farms under the *Taxation Act*; though some Certified Tree Farm land (Crown-granted) may comprise a part of the TFL. A TFL has a term of 25 years.

Ungulate winter ranges: means an area that is identified as being necessary for the winter survival of an ungulate species by a higher level plan or by a statutory decision-maker and objectives for the management of that area.

Visual quality objective (VQO): a resource management objective established by the district manager or contained in a higher level plan that reflects the desired level of visual quality based on the physical characteristics and social values for the area. There are five categories; preservation, retention, partial retention, modification and maximum modification.

Wildlife habitat areas (WHA): areas of land and water that support specific wildlife or groups of wildlife. Under the Code it means a WHA established under section 70.